Thamratul Meeraath

Maulana Thameer ud Deen Qaasimi

Distribute inheritance in 2 minutes using a calculator and solve a Munaasakha-inheritance- ruling in 10 minutes

English translation edited by:

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The ruling of Munaasakha

The crux of Siraaji

The conditions of the heirs

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The specialties of Thamratul Meeraath

1. Through this book, every common person will be able to distribute the inheritance of his family
2. In this book, 24 questions have been quoted and the complete calculation has been made. Choose whichever one applies to you and you will be able to distribute the inheritance of your family yourself
3. 7 questions of Radd have been quoted so that students can practice the ruling of Radd
4. 4 questions regarding ‘Aul have been mentioned so that students learn how to calculate it
5. There is 1 question of Munaasakha so that students learn it
6. The question that is needed most is placed first, for example, there is a greater need to distribute the inheritance of a son, therefore the conditions of a son are brought first and the question regarding a son has been mentioned first
7. That which is not needed so much, like hermaphrodite, it has not been discussed so much
8. The conditions of 14 heirs are discussed in detail for which there is great need

9. All the calculations have been set using a calculator so that the calculation is easy
10. Using this method, there is no need for Tasheeh, Tadaakhul, Tabaayun etc.
11. Using this way, inheritance can be calculated in 2 minutes
12. Using this way, Munaasakha can be solved in 10 minutes and it is very easy

The cause for writing the book

نحمده ونصلي على رسوله الكريم ، أما بعد

I had the chance to meet with a number of important Mufteen. I showed them a new method of calculating inheritance and they were very happy. They said that the old method is definitely difficult and it causes worry for students. A lot of time is used in solving Munaasakha. Therefore such a method should be invented that is easy and Munaasakha can be solved in little time, then it will be better as well.

Subsequently, for this service, this book has been written in an easy way and it has been made so easy that by giving just a little attention, all the types of distribution of inheritance will be understood. In this way, there is no need for Tasheeh, Tadaakhul or Tabaayun (which are difficult) in calculating. Every ruling has been set percentage wise. In this way there will be no need for a long calculation of Munaasakha but the inheritance of every generation/person will be distributed and together with this, all his possessions will be distributed. Whatever the person attained will be distributed amongst the next generation and in this way the entire Munaasakha can be solved in 10 minutes.

The cases needed more are discussed first and those not needed so often are discussed later and the ruling that is hardly ever needed, like the hermaphrodite, has been left out so that students are not worried for no reason.

That which is needed most, the conditions of 14 heirs have been mentioned in detail, to quite an extent. The proof for each part from the Qur'aan and Hadith has been given so that it could be learnt properly and it could be remembered with proof. Then, 24 questions have been made for these 14 heirs and the answers have been written in detail so that the method of calculation the distribution of inheritance could be learnt.

The following five things have been considered in every answer:

1. Distribution of inheritance. The estate of each heir has been distributed.

2. Distribution of property. The method of distributing money left by a deceased has been discussed in detail.

3. If there is Radd (redistribution), then the topic has been mentioned that how will the Radd be calculated and then the Radd has been explained in detail.

4. If there is ‘Awl, then the topic has been mentioned that how will the ‘Awl be calculated and then the ‘Awl has been explained in detail.
5. Understand the detail that from the topic, the distribution of the estate, the distribution of property/possessions, Radd and ‘Awl have been explained once again in detail. It is as though effort has been made to explain everything thrice.

All these efforts have been made to explain because the method of this book is completely new. In the end, the method of calculating Munaasakha has been explained. One example has been provided through which the entire matter could be understood.

Radd and ‘Awl are especially difficult. Therefore 7 examples are given for Radd and 4 for ‘Awl so that students can learn how to calculate Radd and ‘Awl. The questions have been structured in such a way that any common person can fit his situation upon them and distribute the inheritance of his family on his own very easily.

This book is also beneficial for lawyers that they can distribute the inheritance for those who wish to take up a case.

There are many who have enthusiasm for Siraaji because it is the original source book. Therefore a crux of the

conditions of the heirs (Dhawil Furoodh), Asabaat and Dhawil Arhaam as well as Hajab (obstruction) has been presented. This is so that the entire detail of Siraaji is before a person and no one is left feeling that something is left out.

In my method, Tasheeh, Tawaafuq, Tadaakhul and Tabaayun are not present because all the shares are counted in terms of percentage and using a calculator, it is based on 100. Therefore, the discussion on Tasheeh is left out.

Request

This book is a crux of Siraaji. However, it is presented in a new way. Therefore there is great possibility of error. We humbly request the scholars to inform us of the errors, I shall be grateful and Allaah – willing it will be corrected in further editions.

Thanks

Hadhrat Maulana Muslim Qaasimi supervised when the book was being published. I am grateful to him. May Allaah reward all of them to the fullest. May Allaah accept this book and make it a provision for the Aakhirat. Through it, may He grant this lowly one Jannatul Firdaus and may He forgive the errors and faults. Aameen.

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All the calculations will be made out of 100

In this book, all the calculations will be made out of 100 because the calculator is based on the 100 calculation. The calculation has never been made out of 8 or 12 or 24. Forget that calculation.

1. If a wife has to be given 1/8, then 1/8 of 100 is 12.5

2. If a husband has to be given ¼, then ¼ of 100 is 25

3. If there are children, then husband has to be given 1/2, and ½ of 100 is 50

4. If a mother has to be given 1/3, then 1/3 of 100 is 33.33

5. If two sisters have to be given 2/3, then 2/3 is 66.66

6. If there are children, then the mother is given 1/6, and 1/6 of 100 is 16, 66

The method of taking out 1/8, ¼, ½, 2/3, and 1/6 is as follows,

1. Divide 100 by 8, and the 1/8 part will be 12.5

2. Divide 100 by 4 and the ¼ part of 100 will be 25

3. Divide 100 by 2 and the ½ of 100 will be 50
4. Divide 100 by 3 and the 1/3 part of 100 will be 33, 33
5. Multiply 1/3 of 100 by 2 and 66, 66, i.e. 2/3 will be the answer
6. Divide 100 by 6 and the 1/6 part of 100 will be 16, 66

These 4 people will not inherit

1. If the deceased is a Muslim and the heir is non Muslim, then the non Muslim will not inherit. Similarly, if the deceased is non Muslim and the heir is Muslim then the Muslim will not inherit from the non Muslim. **Proof:** the following Hadith states that a non Muslim cannot inherit from a Muslim and a Muslim cannot inherit from a non Muslim. (عن اسامة بن زيد ان النبى صلى الله عليه وسلم قال لا يرث المسلم الكافر ولا الكافر المسلم . بخارى باب لا يرث المسلم الكافر ولا الكافر المسلم ص ١١٦٧ نمبر ٦٧٦٤ مسلم باب لا يرث المسلم الكافر ولا الكافر المسلم ص ٧٠٥ نمبر ١٦١٤، ٤١٤٠) From this Hadith we learn that a Muslim cannot inherit from a non Muslim and vice versa. Another Hadith states (عن جابر عن النبى صلى الله عليه وسلم قال لا يتوارث اهل ملتين ، ترمذى باب لا يتوارث اهل ملتين ص ٤٨٤ نمبر ٢١٠٨) This Hadith states

that two people of different religions cannot be heirs of each other.

2. If an heir murders, he will be deprived from the inheritance of the one he murdered. **Proof:** (1) one killed the person and wanted to get that person's wealth quickly so the Shari'ah has deprived one of getting anything. (2) it is stated in a Hadith that a murderer will not inherit. The portion of the Hadith is (عن عمرو بن شعيب عن أبيه عن جده قال كان رسول الله صلى الله عليه وسلم ...وقال رسول الله ليس للقاتل شيئ وان لم يكن له وارث فوارثه اقرب الناس اليه ولا يرث القاتل شيئا . ابو داؤد باب ديات الاعضاء ص ٦٤٥ نمبر ٤٥٦٤ كتاب الديات ترمذی باب ما جاء في ابطال ميراث القاتل ص ٤٨٤ نمبر ٢١٠٩). From this Hadith we learn that a murderer will not inherit.

3. Difference of country. If the deceased is in Dar ul Islaam and the heir is in Dar ul Harb, then the person in Dar ul Harb will not inherit.

   Proof: (1) the meaning of being entitled to inheritance is that a person can go there and get it. There is war going on against Dar ul Harb. Therefore there is no benefit in giving inheritance. (2) there is indication in this verse (يٰۤاَيُّهَا الَّذِيْنَ اٰمَنُوْٓا اِذَا جَآءَكُمُ الْمُؤْمِنٰتُ مُهٰجِرٰتٍ فَامْتَحِنُوْهُنَّ ؕ اَللّٰهُ اَعْلَمُ بِاِيْمَانِهِنَّ ۚ فَاِنْ عَلِمْتُمُوْهُنَّ مُؤْمِنٰتٍ فَلَا تَرْجِعُوْهُنَّ اِلَى الْكُفَّارِ ؕ لَا هُنَّ حِلٌّ لَّهُمْ وَ لَا هُمْ يَحِلُّوْنَ لَهُنَّ ؕ وَ اٰتُوْهُمْ مَّآ اَنْفَقُوْا ؕ وَ لَا جُنَاحَ عَلَيْكُمْ اَنْ تَنْكِحُوْهُنَّ اِذَآ اٰتَيْتُمُوْهُنَّ اُجُوْرَهُنَّ ؕ وَ لَا تُمْسِكُوْا

(بِعِصَمِ الْكَوَافِرِ) [Surah Mumtahinah, verse 10] It is stated in this verse that a person should not send a woman to Dar ul Harb. There is indication from which proof is taken that a Muslim in Dar ul Harb will not inherit. (3) as long as Makkah Mukarramah remained Dar ul Harb, the emigrants to Madinah Munawwarah did not become heirs of the people of Makkah Mukarramah.

4. Whatever a slave or slave girl gets, it belongs to the master. Therefore they will not inherit. If he/she dies, their wealth will go to the master. This is because no one else gets his/her inheritance. **Proof:** (1) It is mentioned in a Hadith that the wealth of a slave will belong to the seller or the buyer. No one else can inherit it. (عن سالم بن عبد الله عن ابيه قال سمعت رسول الله صلى الله عليه وسلم يقول ...ومن ابتاع عبدا وله مال فماله للذي باعه الا ان يشترط المبتاع . بخارى ، باب الرجل يكون له ممرا وشرب في حائط او في نخل ص ٣٨٢ نمبر ٢٣٧٩)
   (2) the following statement of a Sahabi states that a slave cannot inherit (ان عليا كان يقول في المملوكين واهل الكتاب لا يحجبون ولا يورثون ، مصنف ابن ابى شيبة في المملوك واهل الكتاب من قال لا يحجبون ولا يورثون ج ٦ ص ٢٥٣ نمبر ٣١١٣٧)

These 3 things should be done before distributing the estate

1. From the wealth of the deceased, his shroud and burial should be arranged

2. After this, if he has debts, it should be paid

3. After this, if he made a bequest, then it should be fulfilled from a third of his wealth

After this, his wealth should be distributed amongst his heirs

Proof: From the statement of a Tabi'i and a Hadith it states that first the shroud should be paid for. (قال ابراهيم يبدأ بالكفن ، ثم بالدين ، ثم بالوصية ، قال سفيان اجر القبر والغسل هو من الكفن عن سعد عن أبيه ...قتل مصعب بن عمير وكان خيرا منى فلم يوجد له ما يكفن فيه الا بردة وقتل حمزة او رجل آخر خير منى فلم يوجد له ما يكفن فيه الا بردة . بخارى ، باب الكفن من جميع المال ص ٢٠٣ نمبر ١٢٧٤)

Proof: the proof for fulfilling debts and bequest is the following verse,

فَإِنْ كَانَ لَهٗٓ اِخْوَةٌ فَلِأُمِّهِ السُّدُسُ مِنْۢ بَعْدِ وَصِيَّةٍ يُّوْصِيْ بِهَآ اَوْدَيْنٍ ۗ اٰبَآؤُكُمْ وَاَبْنَآؤُكُمْ لَا تَدْرُوْنَ اَيُّهُمْ اَقْرَبُ لَكُمْ نَفْعًا ۗ فَرِيْضَةً مِّنَ اللّٰهِ ۗ اِنَّ اللّٰهَ كَانَ عَلِيْمًا حَكِيْمًا ﴿۱۱﴾ وَلَكُمْ نِصْفُ مَا تَرَكَ اَزْوَاجُكُمْ اِنْ لَّمْ يَكُنْ لَّهُنَّ وَلَدٌ ۚ فَاِنْ كَانَ لَهُنَّ وَلَدٌ فَلَكُمُ الرُّبُعُ مِمَّا تَرَكْنَ مِنْۢ بَعْدِ وَصِيَّةٍ يُّوْصِيْنَ بِهَآ اَوْدَيْنٍ ۗ وَلَهُنَّ الرُّبُعُ مِمَّا تَرَكْتُمْ اِنْ لَّمْ يَكُنْ لَّكُمْ وَلَدٌ ۚ فَاِنْ كَانَ لَكُمْ وَلَدٌ فَلَهُنَّ الثُّمُنُ مِمَّا تَرَكْتُمْ مِّنْۢ بَعْدِ وَصِيَّةٍ تُوْصُوْنَ بِهَآ اَوْدَيْنٍ ۗ وَ اِنْ كَانَ رَجُلٌ يُّوْرَثُ كَلٰلَةً اَوِ امْرَاَةٌ وَّلَهٗٓ اَخٌ اَوْ اُخْتٌ فَلِكُلِّ وَاحِدٍ مِّنْهُمَا السُّدُسُ ۚ فَاِنْ كَانُوْٓا اَكْثَرَ مِنْ ذٰلِكَ فَهُمْ شُرَكَآءُ فِى الثُّلُثِ مِنْۢ بَعْدِ وَصِيَّةٍ يُّوْصٰى بِهَآ اَوْدَيْنٍ ۙ غَيْرَ مُضَآرٍّ ۚ وَصِيَّةً مِّنَ اللّٰهِ ۗ وَاللّٰهُ عَلِيْمٌ حَلِيْمٌ

[Surah Nisaa, verse 11, 12]

In this verse, it has been mentioned four times that after fulfilling debts and bequest the inheritance will be distributed.

Remember these principles in inheritance

If the deceased has a son, then there is not much difficulty in distributing the estate. The son takes all and leaves everyone. If there is a daughter or 2 daughters, then there is difficulty in distributing the estate and in sequence the Asabaat will be given. They will be mentioned ahead.

PRINCIPLE 1:

If the deceased has a son, then only the wife of the deceased or the husband will get shares. The mother of the deceased will get 1/6 and the father 1/6. No one else will get.

PRINCIPLE 2:

If the deceased has a daughter, then she will get half (50). In order to take the half, first the grandson, if not, then the father, if not, then the grandfather, if not, then the brother, if not, then the nephew, if not, then the uncle, they will come forward to take as Asabaat. You will see in the conditions of the Asabaat that if there is a daughter, then the Asabaat will get 50.

PRINCIPLE 3:

If there are 2 daughters, then they will get 2/3, 66, 66. In order to take the rest, first the grandson, if not, then the father, if not, then the grandfather, if not, then the brother, if not, then the nephew, if not, then the uncle will take as Asabaat. You will see in the conditions of the Asabaat that if there are 2 daughters, then the Asabaat will get 33.33

PRINCIPLE 4:

If the deceased has a son and no daughter then in order to take all the wealth first the grandson will get, if not, then the father, if not, then the grandfather, if not, then the brother, if not, then the nephew, if not, then the uncle will come forward to take. You will see in the conditions of the Asabaat that if there is no son and daughter then all 100 will go to the Asabah.

The book of inheritance

Important note: Faraa'idh is the plural of Fareedha. The meaning is to stipulate because the shares of the heirs have been stipulated by Allaah, therefore it is called Faraa'idh.

It is stated in a Hadith that one should study Faraa'idh. عن ابی هريرة قال قال رسول الله صلی الله عليه وسلم تعلموا الفرائض والقرن وعلموا الناس) فانی مقبوض ، ترمذی باب ما جاء في تعليم الفرائض ص ٢٩ نمبر ٢٠٩١ ابن ماجة باب

(الحث على تعليم الفرائض ص ٣٩١ نمبر ٢٧١٩) from this Hadith we learn that one should study Faraa'idh and teach it so that the inheritance could be distributed properly.

12 people (Dhawil Furoodh) have been given shares in these verses

9 people's shares are mentioned in this verse,

يُوْصِيْكُمُ اللهُ فِىٓ اَوْلَادِكُمْ * لِلذَّكَرِ مِثْلُ حَظِّ الْاُنْثَيَيْنِ ۚ فَاِنْ كُنَّ نِسَآءً فَوْقَ اثْنَتَيْنِ فَلَهُنَّ ثُلُثَا مَا تَرَكَ ۚ وَ اِنْ كَانَتْ وَاحِدَةً فَلَهَا النِّصْفُ ؕ وَ لِاَبَوَيْهِ لِكُلِّ وَاحِدٍ مِّنْهُمَا السُّدُسُ مِمَّا تَرَكَ اِنْ كَانَ لَهٗ وَلَدٌ ۚ فَاِنْ لَّمْ يَكُنْ لَّهٗ وَلَدٌ وَّوَرِثَهٗٓ اَبَوٰهُ فَلِاُمِّهِ الثُّلُثُ ۚ فَاِنْ كَانَ لَهٗٓ اِخْوَةٌ فَلِاُمِّهِ السُّدُسُ مِنْۢ بَعْدِ وَصِيَّةٍ يُّوْصِىْ بِهَآ اَوْ دَيْنٍ ؕ اٰبَآؤُكُمْ وَاَبْنَآؤُكُمْ لَا تَدْرُوْنَ اَيُّهُمْ اَقْرَبُ لَكُمْ نَفْعًا ؕ فَرِيْضَةً مِّنَ اللهِ ؕ اِنَّ اللهَ كَانَ عَلِيْمًا حَكِيْمًا ﴿١١﴾ وَلَكُمْ نِصْفُ مَا تَرَكَ اَزْوَاجُكُمْ اِنْ لَّمْ يَكُنْ لَّهُنَّ وَلَدٌ ۚ فَاِنْ كَانَ لَهُنَّ وَلَدٌ فَلَكُمُ الرُّبُعُ مِمَّا تَرَكْنَ مِنْۢ بَعْدِ وَصِيَّةٍ يُّوْصِيْنَ بِهَآ اَوْ دَيْنٍ ؕ وَلَهُنَّ الرُّبُعُ مِمَّا تَرَكْتُمْ اِنْ لَّمْ يَكُنْ لَّكُمْ وَلَدٌ ۚ فَاِنْ كَانَ لَكُمْ وَلَدٌ فَلَهُنَّ الثُّمُنُ مِمَّا تَرَكْتُمْ مِّنْۢ بَعْدِ وَصِيَّةٍ تُوْصُوْنَ بِهَآ اَوْ دَيْنٍ ؕ وَ اِنْ كَانَ رَجُلٌ يُّوْرَثُ كَلٰلَةً اَوِ امْرَاَةٌ وَّلَهٗٓ اَخٌ اَوْ اُخْتٌ فَلِكُلِّ وَاحِدٍ مِّنْهُمَا السُّدُسُ ۚ فَاِنْ كَانُوْٓا اَكْثَرَ مِنْ ذٰلِكَ فَهُمْ شُرَكَآءُ فِى الثُّلُثِ مِنْۢ بَعْدِ وَصِيَّةٍ يُّوْصٰى بِهَآ اَوْ دَيْنٍ ۙ غَيْرَ مُضَآرٍّ ۚ وَصِيَّةً مِّنَ اللهِ ؕ وَاللهُ عَلِيْمٌ حَلِيْمٌ

[Surah Nisaa', verse 11, 12]

First the debts of the deceased should be paid. Then his bequest should be fulfilled from a third of his wealth. After his debts and bequest has been fulfilled, his wealth should be distributed amongst his heirs.

1. If the deceased has left a son and daughter behind, then the son will twice the amount of the inheritance compared to the daughter

2. If the deceased left one daughter, then she will get half, i.e. 50

3. If the deceased left behind 2 daughters, then they will get 2/3, i.e. 66.66

4. If the deceased left behind more than 2 daughters, then too they will get 2/3, i.e. 66.66

5. If there are children, then the father of the deceased will get 1/6, i.e. 16.66

6. If there are children, then the mother of the deceased will get 1/6, i.e. 16.66

7. If the deceased did not have children, then the mother will get 33.33

8. If the deceased did not have children, then after taking 1/3, the father will get everything as Asabah

9. If the deceased had a brother, then the mother will get 1/6, i.e. 16.66

The following verse mentions the shares of a Kalaalah, brother and sister. (3 people)

يَسْتَفْتُوْنَکَ ط قُلِ اللّٰہُ یُفْتِیْکُمْ فِی الْکَلٰلَۃِ ط اِنِ امْرُؤٌا ہَلَکَ لَیْسَ لَہٗ وَلَدٌ وَّلَہٗٓ اُخْتٌ فَلَہَا نِصْفُ مَا تَرَکَ ج وَہُوَ یَرِثُہَآ اِنْ لَّمْ یَکُنْ لَّہَا وَلَدٌ ط فَاِنْ کَانَتَا اثْنَتَیْنِ فَلَہُمَا الثُّلُثٰنِ مِمَّا تَرَکَ ط وَ اِنْ کَانُوْٓا اِخْوَۃً رِّجَالًا وَّ نِسَآءً فَلِلذَّکَرِ مِثْلُ حَظِّ الْاُنْثَیَیْنِ ط یُبَیِّنُ اللّٰہُ لَکُمْ اَنْ تَضِلُّوْا ط وَاللّٰہُ بِکُلِّ شَیْءٍ عَلِیْمٌ ﴿۱۷۶﴾٪

10. If there are no children and one sister, then she will get half, i.e. 50

11. If there are no children and 2 sisters, then they will get 66.66 (2/3)

12. If there are no children and brothers and sisters, then they will get the entire estate. The brother will get a share twice that of the sister.

In Faraa'idh, some people are given first compared to the others. The proof is this verse,

وَاُولُوا الْاَرْحَامِ بَعْضُهُمْ اَوْلٰى بِبَعْضٍ فِیْ كِتٰبِ اللّٰهِ ؕ

From this verse we learn the law that the relative that is closer to the deceased will get. The one that is further away will be deprived. For example, if the son of the deceased is present, then he will get and his brother will be deprived. This is because the son is closer in relation than the brother.

There is greater need for these 14 heirs. Therefore their condition is explained in detail.

1. The conditions of the son are 5

2. The conditions of the daughter are 5

3. The conditions of the wife are 3

4. The conditions of the husband are 3

5. The conditions of the father are 6

6. The conditions of the mother are 6
7. The conditions of the brother are 6
8. The conditions of the sister are 8
9. The conditions of the nephew are 5
10. The conditions of the grandson are 6
11. The conditions of the granddaughter are 7
12. The conditions of the paternal grandfather are 6
13. The conditions of the paternal grandmother are 3
14. The conditions of the paternal uncle are 5

The conditions of the son are 5:

Note: in inheritance it is always written that what is the relation to the deceased. The relation that the heirs have amongst themselves is not written. For example, those who are going to receive are brother and sister, but they are the son and daughter of the deceased. Remember this law.

1. A son is Asabah bi Nafsihi, i.e. he is Asabah on his own. **The meaning of Asabah is that after the heirs take (their shares), the rest will be distributed amongst the Asabah**

2. He is the first Asabah. If he is present, the father, the grandfather, brother, grandson or nephew will not get
3. If the father or mother dies, if there are no heirs, then all the wealth will go to the son as Asabah
4. If there is a daughter, then he will make her Asabah and it will be distributed according to the law of ‘males will get the share of two females’.
5. If there are other Dhawil Furoodh heirs taking, e.g. mother, grandmother, then after taking their shares, he (the son) will get the remainder as Asabah

If there is a son, then the law of Radd will not come about because he will take whatever remains.

Proof:

(1) This verse proves him being Asabah,

يُوْصِيْكُمُ اللهُ فِيْٓ اَوْلَادِكُمْ * لِلذَّكَرِ مِثْلُ حَظِّ الْاُنْثَيَيْنِ ۚ

This verse states that the son is Asabah and that males will get twice the share of females.

(2) عن ابن عباس عن النبى صلى الله عليه وسلم قال ألحقوا الفرائض بأهلها فما تركت الفرائض فلأولى رجل ذكر . بخارى باب ابنى عم احدهما لام والآخر زوج ص ١١٦٤ نمبر ٦٧٤٦ ، أبو داؤد باب ميراث العصبة ص ٤٢٢ نمبر ٢٨٩٨

This Hadith states that after the Dhawil Furoodh take their shares, the remainder will be taken by the male as Asabah. This is because the son is the first Asabah.

The conditions of a daughter are 5

A daughter is part of Dhawil Furoodh. **Dhawil Furoodh means that their shares are stipulated in the Qur'aan.**

1. If there is one daughter and she has no brother etc. then she will get ½, i.e. 50

2. If there are 2 daughters, then they will get 2/3, i.e. 66.66

3. If there are more than 2, e.g. 3 0r 4, then too they would get 2/3. This 2/3 will be shared amongst them.

4. If there is a son with the daughter, then the son will make the daughter Asabah, i.e. after receiving the share of Dhawil Furoodh, they will get the rest of the wealth as Asabah. It will be distributed such that the male will get twice the share of the female.

5. When will there be Radd? Dhawil Furoodh, i.e. after getting their share, there is no one to take and there is remainder, **then the daughter will distribute again, this is called Radd.**

Proof:

The proof is in the verse,

فَاِنْ كُنَّ نِسَآءً فَوْقَ اثْنَتَيْنِ فَلَهُنَّ ثُلُثَا مَا تَرَكَ ۚ وَ اِنْ كَانَتْ وَاحِدَةً فَلَهَا النِّصْفُ ؕ

[Surah Nisaa', verse 11]

This verse states that if there is one daughter, then she will get half and if there are 2 or more, then they will get 2/3.

Proof:

If there is a son together with a daughter, then the proof that they will be made Asabah is,

يُوْصِيْكُمُ اللّٰهُ فِيْٓ اَوْلَادِكُمْ * لِلذَّكَرِ مِثْلُ حَظِّ الْاُنْثَيَيْنِ ۚ

[Surah Nisaa', verse 11]

This verse states that if there is a son, he will make the daughter Asabah. It also states that the male will get twice the share of the female.

The conditions of the wife are 3:

1. If the husband has children like a son or daughter or grandson or granddaughter, then the wife will get 1/8, i.e. 12.5
2. If the husband does not have children like a son or daughter or grandson or granddaughter, then the wife will get ¼, i.e. 25

3. After getting the share of Dhawil Furoodh, if there is something left, then this left over will not be given once again to the wife

The conditions of the husband are 3:

1. If the wife has children like a son or daughter or grandson or granddaughter then the husband will get ¼, i.e. 25
2. If the wife does not have children like a son or daughter or granddaughter or grandson then the husband will get ½, i.e. 50
3. After getting the share of Dhawil Furoodh, if there is some remainder then it will not be given again to the husband.

Proof:

In this verse, the shares of the wife and husband have been mentioned,

وَلَكُمْ نِصْفُ مَا تَرَكَ اَزْوَاجُكُمْ اِنْ لَّمْ يَكُنْ لَّهُنَّ وَلَدٌ ۚ فَاِنْ كَانَ لَهُنَّ وَلَدٌ فَلَكُمُ الرُّبُعُ مِمَّا تَرَكْنَ مِنْۢ بَعْدِ وَصِيَّةٍ يُّوْصِيْنَ بِهَآ اَوْدَيْنٍ ؕ وَلَهُنَّ الرُّبُعُ مِمَّا تَرَكْتُمْ اِنْ لَّمْ يَكُنْ لَّكُمْ وَلَدٌ ۚ فَاِنْ كَانَ لَكُمْ وَلَدٌ فَلَهُنَّ الثُّمُنُ مِمَّا تَرَكْتُمْ مِّنْۢ بَعْدِ وَصِيَّةٍ تُوْصُوْنَ بِهَآ اَوْدَيْنٍ ؕ

This verse states,

1. If there are children then the wife will get 1/8, i.e. 12.5

2. If there are no children, then the wife will get ¼, i.e. 25

3. If there are children then the husband will get ¼, i.e. 25

4. If no children the husband will get ½, i.e. 50

Proof:

There will be no Radd for the husband and wife. This action of a Sahabi proves this,

قال ابراهيم لم يكن احد من اصحاب النبى صلى الله عليه وسلم يرد على المرأة والزوج شيئا قال زيد يعطى كل ذى فرض فريضته وما بقى جعله في بيت المال . مصنف ابن ابى شيبة في الرد واختلافهم فيه ج ٦ ص ٢٥٦ نمبر ٣١١٦٧

This states that there will be no Radd upon the husband and wife.

The conditions of the father are 6:

Father, this is the father of the deceased, otherwise it will be the grandfather for the son and daughter.

1. The first Asabah is the son. The second is the grandson. If they are not present, then the father becomes Asabah.

2. If the son or grandson is present, then the father will only get 1/6, i.e. 16.66

3. If there is a daughter or granddaughter then too he will get 1/6. After the daughter and granddaughter take, whatever is left will go to the father as Asabah, e.g. there is one daughter then she will get ½, i.e. 50 and the father gets 1/6, i.e. 16.66. The total is 66.66 then the rest 33.33 will be taken by the father as Asabah.

4. If there are 2 daughters then they will get 2/3, i.e. 66.66 and the father will get 16.66. The total is 83.32. The rest 16.68 will be given to the father as Asabah.

5. If there are no heirs, then the father will get everything as Asabah.

6. If there are no other heirs, but there is a mother, then the mother will get 1/3 and the father will get 2/3.

As long as there is a father, there will be no question of Radd because the father will take whatever is left.

The proof will be mentioned ahead

The conditions of the mother are 6:

This is the mother of the deceased, otherwise she will be the grandmother for the sons and daughters

1. If there is a son or daughter or grandson or granddaughter or 2 sisters, then the mother will get 1/6, i.e. 16.66
2. If there is a wife and no one else to take, then after the wife takes the mother will get 1/3, i.e. 33.33
3. If there is a husband and no one else to take, then after the husband takes the mother will get 1/3, i.e. 33.33
4. After the Dhawil Furoodh get their share, whatever is left will be given once again to the mother (Radd)
5. If there are no heirs, then the mother will first get 1/3. After this, as Radd she will get 2/3, as though all the wealth goes to her.
6. If the deceased has no heirs and there is a father then the mother will get 1/3 of the entire estate and the father will get 2/3. It is as though the father made the mother Asabah.

Proof:

وَ لِاَبَوَيۡهِ لِكُلِّ وَاحِدٍ مِّنۡهُمَا السُّدُسُ مِمَّا تَرَكَ اِنۡ كَانَ لَهٗ وَلَدٌ ۚ فَاِنۡ لَّمۡ يَكُنۡ لَّهٗ وَلَدٌ وَّوَرِثَهٗۤ اَبَوٰهُ فَلِاُمِّهِ الثُّلُثُ ۚ فَاِنۡ كَانَ لَهٗۤ اِخۡوَةٌ فَلِاُمِّهِ السُّدُسُ مِنۢ بَعۡدِ وَصِيَّةٍ يُّوۡصِىۡ بِهَاۤ اَوۡ دَيۡنٍ ؕ

This verse states that if the deceased has a son or daughter or grandson or granddaughter then the father will get 1/6, i.e. 16.66

If the deceased has 2 brothers or 2 sisters then too the father and mother will get 1/6, i.e. 16.66

If the deceased has no son, daughter, grandson, granddaughter, brother or sister, then the mother will get 1/3, i.e. 33.33

Proof:

If there are 2 brothers or 2 sisters then the mother will get 1/6. One reason is because of the verse (فَاِنْ كَانَ لَهٗٓ اِخْوَةٌ فَلِاُمِّهِ السُّدُسُ). The word 'Ikhwah' is plural. This means 2 brothers or 2 sisters then the mother will get 1/6. The second proof is this statement of a Sahabi in which it is stated that if there are 2 brothers or 2 sisters, then the mother will get 1/6,

عن زيد بن ثابت واما التفسير فتفسير ابى الزناد على معانى زيد قال وميراث الام من ولدها اذا توفى ابنها وابنتها فترك ولدا او ولد ابن ذكرا او انثى او ترك الاثنين من الاخوة فصاعدا ذكورا او اناثا من اب وام او من اب او من ام السدس . سنن البيهقى باب فرض الام ج ٦ ص ٣٧٢ نمبر ١٢٢٩٤

This statement mentions that if there are 2 brothers and a sister then the mother will get 1/6.

The conditions of a real brother are 6:

This is the brother of the deceased, otherwise uncle for the daughters.

1. This is the 6th level Asabah, i.e. if there is no son then no grandson then no great grandson, then no father then no grandfather then only will he become Asabah. After the Dhawil Furoodh take their share, he will take the rest of the wealth.

2. If there is a son or grandson or great grandson or father or grandfather present, then the brother will not get anything.

3. If there is 1 daughter then she will get ½, if there is no one else, then the brother will get the other half as Asabah.

4. If there are 2 daughters they will get 2/3. If there is no one else, then the other 1/3 will be given to the brother as Asabah.

5. If there is a wife and 2 daughters then the share of the wife will be 1/8, i.e. 12.5, the 2 daughters will get 2/3, i.e. 66.66. The total is 79.16, 20.84 remains – this will go to the brother.

6. If there is a sister together with the brother, then the sister will get 1/3, of whatever the brother

gets and it will be split according to the principle that the male gets twice the share of the female.

Proof:

وان كانوا أخوة رجالا ونساء فللذكر مثل حظ الأنثيين يبين الله لكم أن تضلوا والله بكل شيئ عليم .

This verse states that if there is no children or father and there is a sister, then the inheritance will be distributed according to the principle of the male gets twice the share of the female.

قال جائت امرأة سعد بن الربيع بابنتيها من سعد الى رسول الله صلى الله عليه وسلم فنزلت آية الميراث فيعث رسول الله صلى الله عليه وسلم الى عمهما فقال اعط ابنتى سعد الثلثين وأعط أمهما الثمن وما بقى فهو لك . ترمذى باب ما جاء في ميراث البنات ص ٤٨٠ نمبر ٢٠٩٢

This Hadith states that after the wife and daughter takes, then the brother will get the left over.

The conditions of the real sister are 8:

This is the real sister of the deceased; otherwise she is the aunt of the daughter.

1. If the son, grandson is present, or the father or grandfather is present, then the sister will not get anything.

2. If there is 1 sister then she will get ½, i.e. 50.
3. If there are 2 sisters then they will get 2/3, i.e. 66.66
4. If there is a brother with the sister, then whatever he gets, the sister will get 1/3, i.e. 33.33 and it will be distributed according to the principle of a male gets twice the share of the female.
5. If there is 1 daughter, she will get ½, if there is no one else to inherit then the sister will get the rest.
6. If the deceased has 2 daughters then they will share 2/3, i.e. 66.66. The sister will get the remaining 1/3.
7. If the deceased has 2 granddaughters, then they will get 2/3, i.e. 66.66 and the sister will get the remaining 1/3.
8. After the sister is given a share and there is no one else to inherit, then the remainder will be redistributed to her.

Proof:

يَسْتَفْتُوْنَكَ ؕ قُلِ اللّٰهُ يُفْتِيْكُمْ فِى الْكَلٰلَةِ ؕ اِنِ امْرُؤٌا هَلَكَ لَيْسَ لَهٗ وَلَدٌ وَّلَهٗۤ اُخْتٌ فَلَهَا نِصْفُ مَا تَرَكَ ۚ وَهُوَ يَرِثُهَاۤ اِنْ لَّمْ يَكُنْ لَّهَا وَلَدٌ ؕ فَاِنْ كَانَتَا اثْنَتَيْنِ فَلَهُمَا الثُّلُثٰنِ مِمَّا تَرَكَ ؕ وَ اِنْ كَانُوْۤا اِخْوَةً رِّجَالًا وَّ نِسَآءً فَلِلذَّكَرِ مِثْلُ حَظِّ الْاُنْثَيَيْنِ ؕ يُبَيِّنُ اللّٰهُ لَكُمْ اَنْ تَضِلُّوْا ؕ وَاللّٰهُ بِكُلِّ شَىْءٍ عَلِيْمٌ ﴿۱۷۶﴾٪

From this verse we learn,

1. If there are no children, the person is Kalaalah and there is 1 sister, then she will get ½, i.e. 50
2. If there are no children and 2 sisters then they will get 2/3, i.e. 66.66
3. If there are no children and there is both brother and sister, then they will get the entire estate. The sister will get half the share of the brother according to principle.

Proof:

وَ اِنۡ كَانَ رَجُلٌ يُّوۡرَثُ كَلٰلَةً اَوِ امۡرَاَةٌ وَّلَهٗۤ اَخٌ اَوۡ اُخۡتٌ فَلِكُلِّ وَاحِدٍ مِّنۡهُمَا السُّدُسُ ۚ فَاِنۡ كَانُوۡۤا اَكۡثَرَ مِنۡ ذٰلِكَ فَهُمۡ شُرَكَآءُ فِى الثُّلُثِ مِنۢۡ بَعۡدِ وَصِيَّةٍ يُّوۡصٰى بِهَاۤ اَوۡ دَيۡنٍ ۙ

This verse states that if the deceased is Kalaalah, i.e. he does not have children and parents, then the brother will get 1/6 and the sister will also get 1/6.

This Hadith proves that after the daughter of the deceased gets ½, the other ½ will go to the sister.

قال اتانا معاذ بن جبل باليمن معلما واميرا فسألناه عن رجل توفى وترك ابنته واخته فاعطى الابنة النصف والاخت النصف . بخارى باب ميراث البنات ص ١١٦٣ نمبر ٦٧٣٤ أبو داؤد باب ما جاء في ميراث الصلب ص ٤٢١ نمبر ٢٨٩٣

From this Hadith we learn that if there is 1 daughter, then she will get ½ and the sister will get the other ½.

If the is 1 daughter and granddaughter, then after they take the left over 1/3 will be given to the sister. This Hadith is proof,

جاء رجل الى ابى موسى الاشعرى ...ولكن سأقضى فيها بقضاء رسول الله صلى الله عليه وسلم لابنته النصف ولابنة الابن سهم تكملة الثلثين وما بقى فللاخت من الاب والام . أبو داؤد باب ما جاء في كيراث الصلب ص ٤٢١ نمبر ٢٨٩٠

This Hadith states that give the 1 daughter ½ and give the granddaughter 2/3 to complete 1/6. The remaining 1/3 should be given to the sister.

The conditions of a nephew are 5:

This is the nephew of the deceased, otherwise a cousin for the daughter.

If the deceased does not have a son, then the nephew will get from the inheritance because at the time of distribution he is generally alive and the rest have died.

1. He is the 7th level Asabah, i.e. if there is no son, then no grandson then no great grandson then no father then no grandfather then no brother, then only will the nephew become Asabah. He will take after the Dhawil Furoodh have taken their shares.

2. If the son or grandson or father or grandfather or brother is present, then the nephew will not get anything.

3. If there is 1 daughter, then she will get ½. The other ½ will go to the nephew as Asabah.

4. If there are 2 daughters then they will get 2/3, i.e. 66.66. If there is no one else, then the 1/3, i.e. 33.33 will go to the nephew as Asabah.

5. If there is a wife and 2 daughters, then the share of the wife will be 12.5. The daughters will get 66.66 (2/3). This totals 79.16. The nephew will get the remaining 20.84

Proof:

فتفسير ابى الزناد على معانى زيد بن ثابت قال الاخ والاب اولى بالميراث من الاخ للاب والاخ للاب اولى بالميراث من ابن الاخ للاب والام وابن الاخ للام والاب اولى من ابن الاخ للاب وابن الاخ للاب اولى من ابن ابن الاخ للاب والام الخ . سنن للبيهقى باب ترتيب العصبات ج ٦ ص ٣٩١ نمبر ١٢٣٧٣

It is stated by this Sahabi that the right of a real nephew comes before that of a consanguine nephew. The text is,

وابن الاخ للام والاب اولى من ابن الاخ للاب

Therefore, the nephew is the 7th level Asabah.

The corrnditions of the grandson are 6:

1. The grandson is the 2nd level Asabah. If the deceased does not have a son then the grandson will become Asabah. If there is a son then the grandson will not get anything because a higher level Asabah is present.

2. If the deceased has not left anyone but him behind, he will take everything.

3. If there is 1 daughter, she will get ½, if there is no one else then the other ½ will go to the grandson as Asabah.

4. If there are 2 daughters, they will get 2/3, if there is no one else then the remaining 1/3 will go to the grandson as Asabah.

5. If there is a wife and 2 daughters, then the wife will get 1/8, i.e. 12.5 and the 2 daughters will get 2/3, i.e. 66.66. The total is 79.16, the remaining 20.84 will go to the grandson.

6. If there is a granddaughter together with the grandson, then whatever the grandson gets, the granddaughter will get 1/3 of it and it will be distributed according to principle of males get twice the share of the female.

Proof:

يُوۡصِيۡكُمُ اللّٰهُ فِىۡۤ اَوۡلَادِكُمۡ * لِلذَّكَرِ مِثۡلُ حَظِّ الۡاُنۡثَيَيۡنِ ۚ

This verse states that the male children will get twice the share of the females. If there is no son the grandson will take the place of the son, therefore his share is also proven in the verse.

عن ابن عباس عن النبى صلى الله عليه وسلم قال ألحقوا الفرائض بأهلها فما تركت الفرائض فلأولى رجل ذكر . بخارى باب ميراث العصبة ص ٤٢٢ نمبر ٢٨٩٨

This Hadith states that after the Dhawil Furoodh take their shares, the male will get the left over as Asabah. Therefore if there is no son, the grandson will be the second Asabah.

The conditions of the granddaughter are 7:

1. If there is no son then the granddaughter will get a share. If he is there, then she will not get anything.

2. If there are 2 or more daughters, then because the share of the women (66.66) has been completed, therefore the granddaughters will not get anything.

3. If there is a daughter she will get 50 and in order to complete 2/3, the granddaughter will be given 1/6, i.e. 16.66 so that 66.66 is completed.

4. When there is a granddaughter and no daughter then she will get ½.
5. If there are 2 granddaughters and no daughter then they will get 66.66.
6. If a grandson is present, then whatever he gets, the granddaughter will get 1/3 (33.33) and it will be distributed according to the principle of the male gets twice the share of the female.
7. After giving the share of the granddaughter, there is no one to take then the remainder will be redistributed to her.

Proof:

The proof that if there is a daughter and in order to complete 2/3, the granddaughter is given 1/6 is the following Hadith,

سئل ابو موسى عن ابنة وابنة ابن واخت ... اقضى فيها بما قضى النبى صلى الله عليه وسلم للابنة النصف ولابنة الابن السدس تكملة الثلثين وما بقى فللاخت . بخارى باب ميراث ابنة ابن مع ابنته ص ١١٦٣ نمبر ٦٧٣٦ ترمذى باب ما جاء في ميراث الابن مع بنت الصلب ج ٢ ص ٢٩ نمبر ٢٠٩٣

This Hadith states that in order to complete 2/3, the granddaughter will be given 1/6

The conditions of the grandfather are 6:

Grandfather, this is the grandfather of the deceased. The son and daughter that are distributing the estate – it is their great grandfather. It is difficult for the inheritance to go right down so far.

1. This is the 5th level Asabah, i.e. if there is no son, then no grandson, then no great grandson, then no father then only will the grandfather become Asabah. After the Dhawil Furoodh take their shares, he will take the left over.

2. The father is on the place of the father, if the father is present, the grandfather will not get anything. If there is no father and son or grandson, then the grandfather will get 1/6, 16.66.

3. If there is a daughter or granddaughter then also he will get 1/6. After the daughter and granddaughter take, the grandfather will take the remainder as Asabah, e.g. there is a daughter so she will get ½, (50). The grandfather will get 1/6 (16.66). The total is 66.66, the remaining 33.33 will go to the grandfather as Asabah.

4. If there are 2 daughters they will get 2/3 (66.66) and the grandfather will get 1/6 (16.66). The total

is 83.32. The remaining 16.68 will go to the grandfather as Asabah.

5. If there are no other heirs, then the grandfather will take all 100.

6. If there are no heirs except him and the grandmother, then the grandmother will get 1/3 and the grandfather 2/3.

Proof:

عن عمران بن حصين ان رجلا اتی النبی صلی الله علیه وسلم فقال ان ابن ابنی مات فمالی من میراثه ؟ قال لك السدس فلما ادبر دعاه فقال لك سدس آخر فلما ادبر دعاه فقال ان السدس الآخر طعمة . أبو داؤد باب ما جاء في ميراث الجد ص ٤٢١ نمبر ٢٨٩٦

ترمذی باب ما جاء في ميراث الجد ص ٤٨٢ نمبر ٢٠٩٩

This Hadith states that if there is a son or grandson with the grandfather, then he will get 1/6. If there is no one else, then besides this 1/6, he will get more as Asabah.

The conditions of the grandmother are 3:

This is the grandmother of the deceased otherwise it is the great grandmother of the son and daughter.

1. If the deceased does not have a mother, the grandmother will get a share, as though the grandmother took the place of the mother.

2. If there is no mother, the grandmother will get 1/6 (16.66)

3. If there is a grandfather then the grandmother will get 1/6 (16.66)

Proof:

The following Hadith states that if there is no mother, the grandmother will get 1/6.

عن ابن بريدة عن ابيه ان النبى صلى الله عليه وسلم جعل للجدة السدس اذا لم تكن دونها ام . أبو داؤد باب في الجدة ص ٤٥ نمبر ٢٨٩٥

This Hadith states that there is 1/6 for the grandmother on condition that there is no mother.

The conditions of the uncle are 5:

This is the paternal uncle of the deceased but the grandfather's brother for the daughter. This is because it is difficult for the inheritance to go until there.

1. This is the 8th level Asabah, i.e. if there is no son, then no grandson, then no great grandson, then no father, then no grandfather, then no brother, then no nephew then only will the uncle become Asabah. After the Dhawil Furoodh get their shares, he will take the remainder of the wealth.

2. If one of them is present, the uncle will not get anything.

3. If there is a daughter, she will get ½, if there is no one else then the left over ½ will go to the uncle as Asabah.

4. If there are 2 daughters they will get 2/3. If there is no one else, then the remaining 1/3 will go to the uncle as Asabah.

5. If there is a wife and 2 daughters then the wife will get 1/8 (12.5), the 2 daughters will get 2/3 (66.66). The total is 79.16. The remaining 20.84 will go to the uncle as Asabah.

Dhawil Arhaam

If there are no **Dhawil Furoodh** and Asabaat, then the Dhawil Arhaam will get.

These are such relatives for whom a share has not been stipulated in the Qur'aan. They are also not Asabaat. However, if there is no Dhawil Furoodh or Asabaat, then the Dhawil Arhaam will inherit.

Proof:

The following verse is proof,

واولوا الارحام بعضهم اولى ببعض في كتاب الله . الأنفال ٧٥

This verse states that some Dhawil Arhaam are given preference over others. This means that they will get a share.

عن صالح ين يحيى بن المقدام...والخال وارث من لا وارث له يفك عنيه ويرث ماله . أبو داؤد باب في ميراث ذوى الارحام ص ٤٢٢ نمبر ٢٩٠١ بخارى باب ذوى الارحام نمبر ٦٧٤٧ ص ١١٦٥

This Hadith states that the mother's brother is Dhawil Arhaam, he becomes an heir.

Note:

When using the 100 basis of the calculator, then when dividing 1/3, one number will always be left. Therefore, in order to give 2 sisters their share of 66.66, the total should be rounded off to 66.67, then the calculation will be correct.

24 Questions and their answers

(1) How will the inheritance distribution be calculated if there is only a son?

The son will be Asabah. **The meaning of Asabah is that after the heirs take their share, he will take the remainder.** The other details and proof has been mentioned under the conditions of the son.

Shahid passed away leaving behind 4 sons. He has no daughter or wife. He left R350000

Distribution of inheritance:

Deceased – 100

Son 1 – 25, Son 2 – 25, Son 3 – 25, son 4 – 25, divide 100 by 4 and each son will get 25

Distribution of property:

R350000 ÷ 100 = 3500

350000 was divided by 100, so one share is 3500

Multiply 3500 by the 25 share of each son = 87500

The 1st son gets 87500

The 2nd son gets 87500

The 3rd son gets 87500

The 4th son gets 87500

The total is 350000

Detail:

Distribution of inheritance:

Shahid has 4 sons. A son is Asabah, therefore they will take all the wealth and it will be distributed amongst

them. Here, the inheritance is always distributed from 100. That is why 100 was divided amongst the 4 resulting in 25 each.

Distribution of property:

Shahid had 350000. Divide this by 100 and 1 share comes out.

The calculation will be like this, 350000 ÷ 100 = 3500

This means that if you have to give 1 share, it will be 3500 and if you have to give more, then multiply the amount and the proper share amount will come out.

The share of the 1st son is 25. Multiply it by 3500 and you get 87500.

The share of the 2nd son is 25. Multiply it by 3500 and you get 87500.

The share of the 3rd son is 25. Multiply it by 3500 and you get 87500.

The share of the 4th son is 25. Multiply it by 3500 and you get 87500. The total is 350000

(2) **How will the inheritance be distributed if there are 2 daughters and a son?**

Principle:

The son is Asabah. He makes the daughter Asabah. Then, the son will get twice the share of the daughter. Shahid passes away. He leaves behind 2 daughters and a son. He leaves R350000.

Distribution of inheritance: 100

Son 1 – 50

Daughter 2 – 25

Daughter 3 – 25

Total = 100

Distribution of property:

½ of 350000, i.e. 175000 will go to the son

25% of 350000 (1/4) will go to 1 daughter, 87500

25% of 350000 (1/4) will go to the other daughter, 87500

The total is R350000

Detail:

Distribution of inheritance:

Shahid has 2 daughters and 1 son. Therefore the son will make the daughters Asabah. The son will get twice the share of the female according to the principle. For ease in calculation, take the son to be 2 daughters. There are 2 daughters from before, in this way it will be as though there are 4 daughters.

Divide 100 by 4, each one will get 25.

In this way, each daughter will get 25

Double this for the son, 50. The calculation will be, 25 x 2 = 50

Distribution of property:

Shahid had 350000

The son will get ½, 175000

One daughter will get (1/4) 87500

The 2nd daughter will get (1/4) 87500

The total is 350000

(3) How will the inheritance be distributed if there is one daughter?

The ruling of Radd (redistribution) will apply

Principle:

The daughter is Dhawil Furoodh. **The meaning of Dhawil Furoodh is that their share has been stipulated in the Qur’aan.** The share of a daughter is mentioned in the Qur’aan, therefore she is Dhawil Furoodh.

A daughter gets ½ (50)

2 daughters will get 2/3 (66.66)

If there are more than 2, they will share 2/3 (66.66)

Shahid passed away leaving behind a daughter and R350000 property

Distribution of inheritance:

The deceased = 100

1 daughter will get 50 as her share

50 as Radd

Total = 100

How is the Radd done?

1 daughter gets 50 as her share. There is no one else to take the other 50. Therefore as Radd, she will get the other 50, totalling 100.

Distribution of property:

50% of 350000 is 17500 – she gets this

She gets the other 50% as Radd

The total of her share and Radd is 100%

Detail:

Distribution of property:

Shahid has 1 daughter. 1 daughter gets ½. Therefore ½ of 350000 is 175000 which she gets. Due to the fact that there is no other heir, the other ½ will be given to her as Radd. That is why the 1 daughter gets the total 350000.

The meaning of Radd:

Radd means that after the shares have been given, there is no heir then besides the wife and husband, the wealth will be distributed amongst the other relatives. In this case, 50 was left and it was given back to the daughter. Here there was 1 type of Radd, so it worked easily. 2 other types of Radd will be mentioned ahead that are a bit complex. There is no Radd upon the wife and husband.

4. How will the inheritance be distributed if there are 2 daughters?

Principle:

If there are 2 daughters, they will get 2/3 (66.66)

The 33.34 remainder will be redistributed amongst them as Radd equally

Shahid passed away leaving 2 daughters and R350000

Distribution of inheritance:

Deceased = 100

Daughter 1 – 33.33 as her share, 16.67 as Radd. Total – 66.66, remainder – 33.34 [Total due to her – 50]

Daughter 2 – 33.33 as her share, 16.67 as Radd. Total – 33.34. [Total due to her – 50]

100 complete

How did the Radd work?

2 daughters got 2/3, (66.66)

Now, 33.34 is the remainder from 100. There is no heir for this.

Therefore, it was redistributed equally amongst the daughters as 16.67 each.

Now the 1st daughter gets 50 in total

The 2nd daughter gets 50 in total

The total is 100

Distribution of property:

The 1st daughter gets 175000 (50%)

The 2nd daughter gets 175000 (50%)

The total is 350000

Detail:

Distribution of inheritance:

Shahid has 2 daughters. 2 daughters get 2/3, i.e. 66.66 from 100. Each daughter will also get ½ of the remainder (33.33)

Due to the fact that there is no other heir or Asabah, therefore the remainder will be given to them as Radd. Each one will get 16.66

The 1st daughter will get 33.34 as her share and then 16.66 as Radd

The total is 50, ½ of 100

The 2nd daughter will get 33.34 as her share and then 16.66 as Radd

The total is 50, ½ of 100

The total of both is 100

Distribution of property:

Shahid had 350000.

The 1st daughter gets 175000 (1/2)

The 2nd daughter gets 175000 (1/2)

The total is 350000

5. **How will the inheritance be distributed if there are 3 daughters?**

Principle:

This has passed that if there are more than 2 daughters, then they will get 2/3 (66.66). The remainder will be distributed amongst them as Radd.

Shahid passed away leaving 3 daughters and 350000

Distribution of inheritance:

Deceased = 100

Daughter 1 gets 22.22 as her share, 11.11 as Radd, Total is 33.34

Daughter 2 gets 22.22 as her share, 11.11 as Radd, Total is 33.34

Daughter 3 gets 22.22 as her share, 11.11 as Radd, Total is 33.34

The left over before Radd was 33.34

How was the Radd calculated?

3 daughters were given 2/3 (66.66), now 33.34 remains for which there is no other heir. 33.34 will be distributed as Radd amongst the 3 daughters, each daughter will get 11.11. Each daughter had 22.22 from before, therefore the share of each one now becomes 33.33

Distribution of property:

350000 ÷ 100 = 3500

1 share after this division is 3500

Multiply 3500 by the share of each daughter (33.33) = 116655. The actual answer is 116666. The calculator counts less.

The 1st daughter will get – 33.33 x 3500 = 116655

The 2nd daughter will get – 33.33 x 3500 = 116655

The 3rd daughter will get – 33.33 x 3500 = 116655

The total is 349965

Detail:

Shahid has 3 daughters. They are Dhawil Furoodh. 3 daughters share 2/3, i.e. 66.66 from 100. Each daughter will get 1/3 (22.22). Due to the fact that there is no other heir, or Asabah, therefore the remaining 1/3 will go to the three daughters as Radd.

1/3 = 33.33. This is given to the 3 daughters equally (11.11 each).

Each daughter gets 22.22 as her share, 11.11 as Radd, Total is 33.33

6. **How will the inheritance be distributed if there are 2 daughters, a son and wife?**

Principle:

If the son, daughter is with the wife, then she will get 1/8. The remainder will go to the children

Shahid passes away leaving behind 2 daughters, a son and wife. His wealth is 350000

Distribution of inheritance:

Deceased = 100

Wife – 12.5

Remainder – 87.5

Son – 43.76

Daughter – 21.87

Daughter 21.87

Total – 100

How did the Asabah distribute?

After giving the wife 12.5, 87.5 remains

87.5 is given to the son and 2 daughters

Take the son to be 2 daughters, and the 2 daughters from before. It is as though there are 4 daughters. Divide 87.5 by 4, so 21.87 will be given to 1 daughter. Multiply 21.87 = 43.76 – the share of the son. The total is 100

Distribution of property:

350000 ÷ 100 = 3500

1 share after dividing by 100 is 3500

The share of the wife is 12.5. Multiply it by 3500 = 43750

The share of the son is 43.76. Multiply it by 3500 = 153160

The share of the 1st daughter is 21.87. Multiply it by 3500 = 76545

The share of the 2nd daughter is 21.87. multiply it by 3500 = 76545

Total = 350000

Detail:

Distribution of inheritance:

The wife of Shahid is together with his children. Therefore the wife gets 1/8 (12.5). The remainder (87.5) will be given to the children.

From 100, 1/8 (12.5) is the share of the wife. 87.5 remains. This must be given to the son and 2 daughters. This will be calculated like this – 87.5 ÷ 4 = 21.87

Multiply 21.87 by 2 = 43.75 – this is the share of the son

The son will get 43.75

One daughter will get ½ = 21.87

The 2nd daughter will get ½ = 21.87

The total is 100

The property distribution will be as on top.

7. **How will the inheritance be distributed if there are 2 daughters, a son and a husband?**

Principle:

If the children are with the husband, then he will get ¼, the remainder with be distributed among the children as Asabah

Shahida passed away and left 2 daughters, a son and husband. She left behind R350000.

Distribution of inheritance:

Deceased = 100

Husband – 25

Remainder – 75

Son – 37.5

Daughter 1 – 18.75

Daughter 2 – 18.75

Total – 100

How did the Asabah distribute?

After giving the husband 25, 75 is left

75 has to be distributed amongst the son and 2 daughters

Take the son to be 2 girls and the 2 girls are there from before. As though there are 4 daughters. 75 is divided

amongst 4, so 18.75 will be given to 1 daughter. 18.75 to the 2nd daughter. 18.75 x 2 = 37.5

Total – 100

Distribution of property

350000 ÷ 100 = 3500

If 350000 is divided by 100, 1 share will be 3500

The share of the husband is 25, multiply it by 3500, the total is 87500

The share of the son is 37.5, multiply it by 3500, the total is 131250

The share of the 1st daughter will be 18.75, multiply it by 3500, the total is 65625

The share of the 2nd daughter will be 18.75, multiply it by 3500, the total is 65625

The total property distributed is 350000

Detail:

Distribution of inheritance:

The husband of Shahida is together with the children

Therefore the share of the husband is ¼ (25), the rest will be distributed amongst the children

25 of the 100 was given to the husband, 75 is left. This 75 has to be distributed amongst 1 son and 2 daughters.

75 divided by 4 = 18.75 (the share of 1 daughter)

Like this, 75 ÷ 4 = 18.75

The share of 1 daughter will be 18.75

The share of the son will be twice this amount, i.e. 37.5

The 2nd daughter will get 18.75

The total is 100

8. **How will the inheritance be distributed if there is a son, a daughter, a husband, father and mother?**

Principle:

If there are children with the father and mother, then each of them will get 1/6

If there is a son with the daughter, then the daughter will become Asabah. After the husband, father and mother take, the remainder will be distributed amongst them according to the principle that the male gets twice the share of the female.

Shahida passed away leaving behind a son, daughter, father, mother and husband. The property left behind is R350000.

Distribution of inheritance:

Deceased = 100

Husband – 25

Father – 16.66

Mother – 16.66

Remainder – 41.68

Son – 27.78

Daughter – 13.90

How was the distribution amongst the Asabah done?

The husband takes 25. The father gets 16.66, the mother gets 16.66, total – 58.32

41.68 remains, that has to be distributed amongst the son and daughter. Take the son to be 2 girls, and 1 daughter is present from before. As though there are 3 daughters.

Divide 41.86 by 3, this will be the share of 1 daughter (13.90). Multiply this by 2 and the amount is 27.78

Distribution of property:

350000 divided by 100 will give the share of 3500 as 1 share. The share of the husband is 25, multiply this by 3500 = 87500. The share of the father is 16.66, multiply this by 3500 = 58310. The share of the mother is 16.66, multiply this by 3500 = 58310. The share of the daughter is 13.90, multiply this by 3500 = 48650. The share of the son is 27.78, multiply this by 3500 = 97230

The total is 350000

Detail:

Distribution of inheritance:

The husband of Shahida is with the children. Therefore he gets ¼ (25). The father is with children so he gets 1/6 of 100 (16.66). The mother is with the children so she gets 1/6 (16.66). The total is 58.32

The calculation is like this, 25 + 16.66 + 16.66 = 58.32

Now 41.68 remains from the 100

Now, there is a son and daughter, therefore the son makes the daughter Asabah and 41.68 is to be distributed amongst them. Take the son to be 2 daughters and there is 1 daughter, therefore the total number of 'daughters' is 3. 41.68 must be distributed amongst the 2, so the share of each is 13.89. Now, give 13.89 to the daughter and 27.78 (13.89 x 2) to the son. The total is 100 and the calculation is correct. Now, multiply the share of each

person by 3500 and the amount of wealth due to them will be the answer. The detail is,

Husband – 87500

Father – 58310

Mother – 58310

Daughter – 48650

Son – 97230

Total - 350000

9. **How will the inheritance be distributed if there are 2 daughters, a wife and mother?**

Here, there are 2 types of people upon whom Radd will be done. One is 66.66 (2/3) and the 2nd is 16.66 (1/6). To give both of them in terms of percentage is difficult. Therefore, study the calculation of Radd well.

Principle:

Remember 5 principles here,

1. Here, 2 daughters are not with a son, therefore they are Dhawil Furoodh. They will get 2/3
2. Children are present, so the wife will get 1/8
3. Children are present, so the mother will get 1/6

4. The remainder will be given to the daughter and mother because they are the family of the deceased.

5. There is no Radd upon the wife because she is not linked through lineage

Shahid passes away leaving 2 daughters, wife and mother and 350000 in wealth

Distribution of inheritance:

Deceased = 100

The wife will get 12.5 as her share, no Radd. Total – 12.5

2 daughters will get 66.66 as their share, 3.344 as Radd. Total – 70

Mother will get 16.66 as her share, 0.835 as Radd. Total – 17.5

The total share before Radd is 95.82, left over (4.18) is given as Radd. Total is 100

How is the Radd calculated?

The wife took 12.5, there is no Radd for her

2 daughters took 66.66, there is Radd upon them

The mother took 16.66, there is Radd upon her

The total is 95.82

Now 4.18 remains from 100

Here, there will be Radd on the mother and daughters. Therefore, look carefully at the calculation.

The share of the daughters is 66.66 and the mother is 16.66. total is 83.32

4.18 is divided by 83.32 = 0.0502 (1 share of Radd)

0.0502 multiplied by 66.66 is 3.346 – share of Radd for the daughter

The share of the daughters (66.66) and the Radd (3.346) is 70 in total.

0.0502 multiplied by 16.66 is 0.836 – share of Radd for the mother

The share of the mother is 16.66 and 0.836 (Radd). Total is 17.5

Distribution of property:

350000 ÷ 100 = 3500

The above division gives 1 share

The share of the wife is 12.5, multiplied by 3500 = 43750

The share of the 2 daughters is 70, multiplied by 3500 = 245000

The share of the mother is 17.5, multiplied by 3500 = 61250

Total = 350000

The wife will get from 350000 a total of 43750

1 daughter will get 122500

2nd daughter will get 122500

The mother will get 61250

Total – 350000

Detail:

Distribution of inheritance:

The children of Shahid are together with the wife

Therefore, the wife will get 1/8 (12.5), the 2 daughters will get 2/3 (66.66). The mother is with the children, therefore she will get 1/6 (16.66). The total is 95.82.

The calculation is 12.5 + 66.66 + 16.66 = 95.82

Now, 4.18 remains from 100, this is redistributed amongst the 2 daughters and mother, there is no Radd upon the wife.

The form of Radd is that amongst whoever Radd has to be done, their shares should be totalled. The remainder is given to them. The result is multiplied by the shares of those upon whom Radd is done. In this way, the Radd share of each person will be calculated. Here, the share of 2 daughters is 66.66 and the share of the mother is 16.66. These 2 amounts should be totalled (83.32). 4.18 divided by 83.32 will give you the share of 1 (0.0502). 0.0502 multiplied by the share of the daughters (66.66) gives 3.344 which is the Radd share of the daughter. The 2 daughters got 66.66 as their 1st share. Their first share and Radd share totals 70. Multiply 70 by 3500, this is 245000.

Multiply 0.0502 by the mother's share of 16.66 – 0.836 is the Radd share of the mother. The mother gets 16.66 as her 1st share. Her 1st share and Radd share totals 17.5. Multiply 17.5 by 3500, this is 61250.

Multiply the wife's share of 12.5 by 3500, this is 43750. The total is 350000.

10. How will the inheritance be distributed if there is a daughter, wife and mother?

Here, those who take a Radd share are of 2 types. The 1st is 50 and the 2nd is 16.66. To give them in terms of percentage is difficult. Therefore, study the Radd calculation carefully.

Principle:

The 5 principles that apply here have passed above

Shahid passes away leaving a daughter, wife and mother and 350000 in property.

Distribution of inheritance:

Deceased = 100

The wife gets 12.5 as her share, nothing in Radd. Total is 12.5

The daughter gets 50 as her share and 15.65 as Radd. Total is 65.65

The mother gets 16.66 as her share, 5.21 as Radd. The total is 21.87. The remainder amount before Radd is 20.84

How is the Radd calculated?

The wife gets 1/8 (12.5), no Radd

One daughter gets 50, there is Radd upon her

The mother gets 16.66 (1/6), there will be Radd upon her

The total is 79.16

Now, 20.84 is the remainder from 100

Here, Radd will take place on the daughter and mother, therefore, look at the total they receive.

The share of 1 daughter is 50 and the mother is 16.66. The total is 66.66. Divide 20.84 by 66.66, the answer is 0.313 – 1 share. Multiply 0.313 by 50 = 15.65. This is the Radd share of the daughter. The share of the daughter (50) plus 15.65 is 65.65.

0.313 multiplied by 16.66 is 5.214. This is the Radd share of the mother. The share of the mother is 16.66 and the Radd share is 5.214. The total is 21.87

Distribution of property:

350000 ÷ 100 = 3500

350000 divided by 100 gives 1 share

The share of the wife is 12.5, multiplied by 3500 is 43750. The share of the daughter is 65.65, multiplied by 3500 is 229775. The share of the mother is 21.87, multiplied by 3500 is 76545. The total is 350000

Detail:

Distribution of inheritance:

The children of Shahid are together with the wife. Therefore, the wife gets 1/8 (12.5). The daughter gets 50 (1/2). The mother is with the children, therefore she gets

1/6 (16.66). The total is 79.16. The calculation is 12.5 + 50 + 16.66 = 79.16

Now, 20.84 is the remainder from 100

20.84 has to be made Radd of on the 2 daughters and mother, there is no Radd on the wife.

The form of Radd is that the shares of those who are to get Radd should be totalled. The remainder should be distributed amongst them. The result should by multiplied by their shares (upon whom Radd happens). In this way, the Radd share of each one will be calculated. Here, the share of 1 daughter is 50 and the share of the mother is 16.66. The total is 66.66. 20.84 has to be divided by 66.66, 1 share is 0.313. Multiply 0.313 by 50 = 15.65 – this is the Radd share of the daughter. The daughter got 50 initially. Now, the share and the Radd combined is 65.65.

Multiply 65.65 by 3500 = 229775 is the share of the daughter. 0.313 multiplied by 16.66 of the mother's share is 0.5214 – the Radd share of the mother. The mother gets 16.66 initially and 5.214 as Radd. The combined amount is 21.87. 21.87 multiplied by 3500 is 76545 – share of the mother.

12.5 multiplied by 3500 – 43750 (share of the wife). The total is 350000.

11. How will the inheritance be distributed if there is a daughter, husband and mother?

Here, those who take from the Radd are 2 types. One is 50 and the other is 16.66 (1/6). It is difficult to distribute percentage wise, therefore, study the Radd calculation carefully.

Principle:

Here there are 5 principles which have passed under 9

Shahida passed away leaving behind a daughter, husband and mother and 350000 property.

Distribution of inheritance:

Deceased = 100

Husband – 25 as his share, no Radd. Total is 25

Daughter – 50 as her share, 6.26 as Radd. Total is 56.26

Mother – 16.66 as her share, 2.084 as Radd. Total is 18.74. The Radd has to be made from 8.34

How was the Radd calculated?

The husband takes ¼ (25). There is no Radd on him.

1 daughter takes 50, there is Radd on her.

The mother takes 16.66 (1/6), there is Radd on her

The total is 91.66

Now, 8.34 remains from 100

Here, Radd will take place on the daughter and mother. Their shares should be totalled. The daughter will get 50 and the mother will get 16.66. The total is 66.66. Divide 8.34 by 66.66 = 0.125. This is 1 share. Multiply 0.1251 by 50 = 6.26. This is the Radd share of the daughter. The share of the daughter is 50 + 6.26 Radd = 56.26. Multiply 0.1251 by 16.66 = 2.084 – the Radd share of the mother. The share of the mother is 16.66 and 2.084 Radd = 18.74

Distribution of property:

350000 ÷ 100 = 3500

350000 divided by 100 gives 1 share. The share of the husband is 25, multiplied by 3500 = 87500. The share of the daughter is 56.26 multiplied by 3500 = 196910. The share of the mother is 18.74 multiplied by 3500 = 65590. The total is 350000

Detail:

Distribution of inheritance:

The children of Shahida are present with the husband. Therefore the husband gets 25. The daughter gets ½ (50). The mother is with the children so she gets 1/6 (16.66).

The total is 91.66. The calculation is 25 + 50 + 16.66 = 91.66, now 8.34 remains from 100.

8.34 has to be redistributed (Radd) amongst the 2 daughters and mother. There is no Radd on the wife. The form of Radd is that the shares of those upon whom Radd is to be made should be totalled. The remainder is distributed amongst them. The answer of this calculation should be multiplied by the share of those upon whom Radd is to be done. In this way, the Radd share of each person will be known. Here, the share of the daughter is 50 upon whom Radd has to take place. The share of the mother is 16.66. The total is 66.66. 8.34 divided by 66.66 gives 1 Radd share of 0.1251.).1251 multiplied by 50 is 6.26 – Radd share of the daughter. The daughter gets 50 from before. Now her share and the Radd share is 56.26. 56.26 multiplied by 3500 gives 196910.

0.1251 multiplied by 16.66 (the share of the mother) gives 2.084 – the Radd share of the mother. The original share of the mother is 16.66. Her original share and Radd share is 18.74. Multiply 18.74 by 3500, this gives 65590. Multiply 25 (the share of the husband) by 3500, this gives 87500. The total is 350000

The calculation of ‘Awl (to reduce)

The meaning of ‘Awl is that the shares have gone beyond 100. It should be made into percentage and

brought to 100, then the inheritance be distributed. Look at the detail below,

12. How will the inheritance be distributed if there are 2 daughters, a husband and father?

Principle:

If the husband is together with the children, he gets 25 (1/4)

If the father is together with the children, he gets 16.66 (1/6)

Shahida passes away leaving behind 2 daughters and a father and 350000 property.

Distribution of inheritance:

Deceased = 100

Husband – 25 as his share, 23.08 after ‘Awl

2 daughters – 66.66 as their share, 61.54 after ‘Awl

Father – 16.66 as his share, 15.38 after ‘Awl

Before ‘Awl, the total is 108.32

How is the ‘Awl calculated?

108.32 divided by 100 gives 1 share of 1.0832

If 1.0832 is distributed among them all, their shares will decrease.

Divide 1.0832 by 25 (share of the husband) and the answer is 23.08

1.0832 divided by 66.66 (share of the 2 daughters) will become 61.54

1.0832 divided by 16.66 (the share of the father) will make it 15.38. The total is 100

Distribution of property:

350000 ÷ 100 = 3500

350000 divided by 100 gives a single share of 3500

After ‘Awl

The share of the husband is 23.08, multiplied by 3500 = 80780

The share of the daughters is 61.54, multiplied by 3500 = 215390

The share of the father is 15.38, multiplied by 3500 = 53830

The total is 350000

Detail:

Distribution of inheritance:

The husband is together with the children of Shahida. Therefore the husband gets 25. The 2 daughters will get 66.66. The father is together with the children, so he gets (1/6) 16.66. The total is 108.32. The calculation is 25 + 66.66 + 16.66 = 108.32

Now, there is 8.32 more than 100. This is called ‘Awl. The method is that 108.32 should be divided by 100 = 1.0832. Now, divide their shares by 1.0832 and their shares will decrease to 100.

The share of the husband (25) divided by 1.0832 is 23.08. This is the share of the husband after ‘Awl. Divide 66.66 (the share of the 2 daughters) by 1.0832 and their share will come to 61.54, this is their share after ‘Awl. Divide the share of the father (16.66) by 1.0832 and it comes to 15.38. This is the share of the father after ‘Awl. The total is now 100. Now, after ‘Awl, multiply their shares by 3500.

Husband – 80780 from 350000

2 daughters – 215390 from 350000

Father – 53830 from 350000

The total is 350000

13. How will the inheritance be distributed if there are 2 daughters, husband, father and mother?

Principle:

If the father and mother is with the children, the father will get 16.66 (1/6)

The mother will also get 1/6

Proof:

وَ لِاَبَوَیۡہِ لِکُلِّ وَاحِدٍ مِّنۡہُمَا السُّدُسُ مِمَّا تَرَکَ اِنۡ کَانَ لَہٗ وَلَدٌ ۚ فَاِنۡ لَّمۡ یَکُنۡ لَّہٗ وَلَدٌ وَّوَرِثَہٗۤ اَبَوٰہُ فَلِاُمِّہِ الثُّلُثُ ۚ

This verse states that if there are children, the father gets 1/6 and the mother gets 1/6

Shahida passes away leaving behind 2 daughters, a father and mother and 350000 property

Distribution of inheritance:

Deceased = 100

Husband – 25 as his share, 20 after ‘Awl

2 daughters – 66.66 as their share, 53.34 after ‘Awl

Father – 16.66 as his share, 13.33 after ‘Awl

Mother – 16.66 as her share, 13.33 after ‘Awl

The total before ‘Awl was 124.98 and 100 after

How is the ‘Awl calculated?

Divide 124.98 by 100, and 1 share will be 1.2498

Divide the share of each person by 1.2498

The husband’s share divided by 1.2498 is 20 (from 25)

The share of the 2 sisters (66.66) divided by 1.2498 is 53.34

The share of the father (16.66) divided by 1.2498 becomes 13.33

The share of the mother (16.66) divided by 1.2498 becomes 13.33

Detail:

Distribution of inheritance:

The children of Shahida are together with the husband. Therefore the husband gets 25 from 100. The 2 daughters will get 66.66 (2/3). The father is together with the children so he gets (1/6) 16.66, the mother is with the children, so she gets 1/6 (16.66). The total is 124.98. The calculation is 25 + 66.66 + 16.66 + 16.66 = 124.98

Now, 24.98 is more than 100. This is called ‘Awl. The method is that 124.98 should be divided by 100. This gives 1.2498. now, divide the share of each person by 1.2498 and the shares of each person will decrease and it will come to 100.

The 25 of the husband divided by 1.2498 is 20 – share of the husband after ‘Awl

The share of the 2 daughters 66.66 divided by 1.2498 is 53.34 – the share of the daughters after ‘Awl

The share of the father 16.66 divided by 1.2498 is 13.33 – his share after ‘Awl

The share of the mother 16.66 divided by 1.2498 is 13.33 – her share after ‘Awl

The total is 100. Now, multiply the ‘Awl shares by 3500 and you will get the shares of each person. The detail has passed.

14. How will the inheritance be distributed if there are 2 daughters, a wife, father and mother?

Principle:

If the father and mother is present with the children, then the father will get 16.66

The mother will also get 16.66. The proof has passed.

Shahid passes away leaving behind 2 daughters, wife, father and mother and 350000 in property.

Distribution of inheritance:

Deceased = 100

Wife – 12.5 as her share, 11.11 after ‘Awl

2 daughters – 66.66 as their share and 59.27 after ‘Awl

Father – 16.66 as his share and 14.81 after ‘Awl

Mother – 16.66 as her share and 14.81 after ‘Awl

The total before ‘Awl is 112.48

How is the ‘Awl calculated?

Divide 112.48 by 100. This gives 1.2498 – 1 share

Divide the share of each person by 1.2498 and their shares will become less

The share of the wife 12.5 divided by 1.2498 is 11.11

The share of the 2 daughters 66.66 divided by 1.2498 is 59.27

The share of the father 16.66 divided by 1.2498 is 14.81

The share of the mother 16.66 divided by 1.2498 is 14.81

Detail:

Distribution of inheritance:

The children of Shahid are together with the children, therefore the wife will get 12.5 from 100. The 2 daughters will get 66.66. The father is with the children so he gets 1/6 (16.66)

The mother is with the children so she gets 1/6 (16.66). The total is 112.48. The calculation is 12.5 + 66.66 + 16.66 + 16.66 = 112.48

Now, 12.48 is more than 100. This is called ‘Awl

The method is that 112.48 is divided by 100 = 1.1248. Now, divide the share of each person by 1.1248 and their shares will decrease and it will come to 100.

The share of the wife 12.5 divided by 1.1248 is 11.11 – after ‘Awl

The share of the 2 daughters 66.66 divided by 1.1248 is 59.27 – after ‘Awl

The share of the father 16.66 divided by 1.1248 is 14.81 – after ‘Awl

The share of the mother 16.66 divided by 1.1248 is 14.81 – after ‘Awl

Wife – 3500 x 11.11 = 38885

2 daughters – 59.27 x 3500 = 207445

Father – 14.81 x 3500 = 51835

Mother – 14.81 x 3500 = 51835

The total is 350000

15. How will the inheritance be distributed if there is a wife and brother?

Principle:

If the deceased does not have a son, or father, or grandson, then the brother of the deceased will get as Asabah.

If he has a son or father or grandson, then the brother and sister will be not get.

Shahid passes away leaving behind 2 brothers, wife and no one else and 450000 in property. There is no children so the wife gets 25, the 75 remainder will be given to the brothers as Asabah. The calculation will be like this,

Distribution of inheritance:

Deceased = 100

Wife – 25

Remainder – 75

Brother – 37.5

Brother – 37.5

Total – 100

Distribution of property:

450000 ÷ 100 = 4500

450000 divided by 100 gives 1 share. The share of the wife is 25 x 4500 = 112500

The share of one brother is 37.5 x 4500 = 168750

The share of the second brother is 37.5 x 4500 = 168750

The total is 450000

Detail:

Shahid leaves his wife and 2 brothers. Therefore the wife gets 25 and the remainder 75 will be distributed amongst the brothers. 75 divided between the 2 brothers leaves each of them with 37.5. The property distribution is mentioned above.

16. How will the inheritance be distributed if there is a husband, brother and sister?

Shahida passes away leaving behind a brother and sister and husband with 450000 in property. There is no children so the husband gets 50. The remaining 50 will be given to the brother and sister as Asabah according to principle that the male will get twice the share of the female. The calculation will be like this,

Distribution of inheritance:

Deceased = 100

Husband – 50

Remainder – 50

Brother – 33.34

Sister – 16.66

Total = 100

Distribution of property:

450000 ÷ 100 = 4500

450000 divided by 100 is 1 share of 4500

Husband – 50 x 4500 = 225000

Brother – 33.34 x 4500 = 150030

Sister – 16.66 x 4500 = 74070

Total – 450000

Detail:

Shahida leaves her husband and no children, so he gets 50. The other 50 will go to the brother and sister as Asabah. The sister gets 1/3 (16.66) and the brother 33.33. Distribution of property has been explained above.

17. How will the inheritance be distributed if there is a husband and 1 sister?

Shahida passes away leaving behind a sister and husband and 450000 in property.

Principle:

There is no children so the husband will get 50 and the sister will get 50.

Distribution of inheritance:

Deceased = 100

Husband – 50

Sister – 50

Total = 100

Distribution of property:

450000 ÷ 100 = 4500

450000 divided by 100 gives 1 share of 4500

Husband – 50 x 4500 = 225000

Sister – 50 x 4500 = 225000

Total is 450000

Detail:

Distribution of inheritance:

Shahida leaves her husband and no children. Therefore she gets 50. The one sister will get 50. Total–100. The distribution of property is mentioned above.

18. **How will the inheritance be distributed if there is a husband and 2 sisters?**

Shahida passes away leaving 2 sisters and a husband and 450000 in property.

Principle:

When is no children so the husband will get 50 and the 2 sisters will get 66.66

Distribution of inheritance:

Deceased = 100

Husband – 50 as his share, 42.86 after ‘Awl

2 sisters – 66.66 as their share, 57.14 after ‘Awl

Total before ‘Awl – 116.66

How is the ‘Awl calculated?

Divide 116.66 by 100, giving a single share of 1.1666

Divide the share of each person by 1.1666 and they will decrease.

Husband – 50 divided by 1.1666 = 42.86

2 sisters – 66.66 divided by 1.1666 = 57.14

Total = 100

Distribution of property:

450000 ÷ 100 = 4500

450000 divided by 100 gives a single share of 4500

The share of the husband is 42.86 x 4500 = 192870

Share of sisters – 57.14 x 4500 = 257130

Total = 450000

Detail:

Distribution of inheritance:

Shahida leaves her husband, no children. Therefore, he gets 50. The 2 sisters get 66.66. The total is 116.66

This is more than 100, so ‘Awl has to be calculated.

The calculation is 50 + 66.66 = 116.66

Now, 16.66 is above 100, so this is called ‘Awl

The method is to divide 116.66 by 100, giving a single share of 1.1666

Now, divide the shares of each person by 1.1666 and they will decrease and come to 100.

Husband – 50 divided by 1.1666 = 42.86 (after ‘Awl)

2 sisters – 66.66 divided by 1.1666 = 57.14 (after ‘Awl)

Husband – 42.86 x 4500 = 192870

2 sisters – 57.14 x 4500 = 257130

Total = 450000

19. How will the inheritance be distributed if there is a wife and 2 sisters?

Principle:

There is no children so the wife will get 25 and the 2 sisters will get 66.66

Shahid passes away leaving behind a wife and 2 sisters and 450000 in property.

Distribution of inheritance:

Deceased = 100

Wife – 25 as her share, no Radd. Total – 25

2 sisters – 66.66 as their share, 8.34 as Radd. Total – 75

Total before Radd – 91.66

How is the Radd calculated?

The wife gets 25, no Radd

2 sisters get 66.66, Radd

Total – 91.66

Now, 8.34 remains from 100

Here there is only Radd on the 2 sisters. Therefore they are given 8.34. Now, the sisters will get 70 with the Radd.

Distribution of property:

450000 ÷ 100 = 4500

450000 divided by 100 gives a single share of 4500

Wife – 25 x 4500 = 112500

2 sisters – 75 x 4500 = 337500

Total – 450000

Detail:

Shahid leaves his wife and no children. Therefore he gets 25. There are 2 sisters that will get 2/3 (66.66). the total is 91.66. 8.34 remains, so Radd will be done. The calculation is 25 + 66.66 = 91.66

8.34 remains that will be made Radd of on the sisters because they are not family. Due to the fact that there is only 1 type of people to take, there is no need to take out the percentage. Give 8.34 to the 2 sisters. They will share it half each.

The 2 sisters got 66.66 initially and 8.34 as Radd. The total is 75. Multiply the share of the sisters by 4500, the

amount is 337500. The share of the wife is 25, multiplied by 4500 = 112500. The total is 450000

20. How will the inheritance be distributed if there is a wife, 2 daughters and a brother?

Shahid passes away leaving 2 daughters and a brother and 450000 in property.

Principle:

There are children so the wife will get 12.5, there are 2 daughters so they will get 66.66. The 20.84 remainder goes to the brother as Asabah.

Distribution of inheritance:

Deceased = 100

Wife – 12.5

2 daughters – 66.66

Total – 79.16

Remainder – 20.84

Brother (as Asabah) – 20.84

Distribution of property:

450000 ÷ 100 = 4500 (1 share)

450000 divided by 100 gives a single share of 4500

Wife – 12.5 x 4500 = 56250

2 daughters – 66.66 x 4500 = 299970

Brother – 20.84 x 4500 = 93780

Total – 450000

Detail:

Distribution of inheritance:

Shahid leaves his wife and children so she will get 12.5

There are 2 daughters who will get 66.66. Total is 79.16. 20.84 remains. This will go to the brother as Asabah.The calculation is 12.5 + 66.66 = 79.16, remainder – 20.84. Now, 20.84 will be given to the brother as Asabah in accordance to the Hadith.

The share of the wife is 12.5 x 4500 = 56250

The share of the 2 daughters is 66.66 x 4500 = 299970

The share of the brother is 20.84 x 4500 = 93780

The total is 450000

21. How will the inheritance be distributed if there is a wife, 2 daughters and a nephew?

Shahid passes away leaving 2 daughters behind, a wife and nephew and 450000 in property.

Principle:

There are children so the wife gets 12.5, there are 2 daughters so they get 66.66. The remainder will go to the nephew as Asabah.

Due to the fact that the deceased has no son and no father. There is also no brother. Therefore, in place of the brother, the nephew will get 20.84 as Asabah.

Distribution of inheritance:

Deceased = 100

Wife – 12.5

2 daughters – 66.66

Total – 79.16

Remainder – 20.84

Nephew (as Asabah) – 20.84

Distribution of property:

450000 ÷ 100 = 4500

450000 divided by 100 gives a single share of 4500

The share of the wife is 12.5 x 4500 = 56250

2 daughters get 66.66 x 4500 = 299970

The nephew gets 20.84 x 4500 = 93780

The total is 450000

Detail:

Distribution of inheritance:

Shahid leaves his wife and children. Therefore she gets 12.5

There are 2 daughters, so they get 66.66. The total is 79.16

20.84 remains. It is given to the nephew as Asabah.

The calculation is 12.5 + 66.66 = 79.16

Now, 20.84 remains from the 100

This is given to the nephew as Asabah as mentioned in the Hadith

Wife – 12.5 x 4500 = 56250

2 daughters – 66.66 x 4500 = 299970

Nephew – 20.84 x 4500 = 93780

Total - 450000

22. How will the inheritance be distributed if there is a wife, 1 sister and a nephew?

Shahid passes away leaving behind a sister, wife and nephew and 450000 in property

Principle:

There are no children so the wife gets 25 (1/4), 1 sister gets 50 (1/2). The remaining 25 goes to the nephew as Asabah

Due to the fact that the deceased has no son or father or brother, therefore, in place of the brother, the nephew is taken and is given 25 as Asabah.

Distribution of inheritance

Deceased = 100

Wife – 25

Sister – 50

Total – 75

Remainder – 25

Nephew (as Asabah) – 25

Distribution of property:

450000 ÷ 100 = 4500

450000 divided by 100 gives a single share of 4500

Wife – 25 x 4500 = 112500

Sister – 50 x 4500 = 225000

Nephew 25 x 4500 = 112500

Total – 450000

Detail:

Distribution of inheritance:

Shahid leaves his wife and there are no children, so she gets 25 (1/4)

There is 1 sister who gets 50 (1/2), the total is 75

25 remains, this is given to the nephew as Asabah

The calculation is 25 + 50 = 75

Now, 25 remains from 100

The nephew is given 25 as Asabah as stated in the Hadith

Wife – 25 x 4500 = 112500

Sister – 50 x 4500 =225000

Nephew – 25 x 4500 = 112500

Total – 450000

Note:

If the husband remains behind instead of the wife and one sister, then the nephew will not get anything. This is because the husband will get 50, 1 sister will get 50 (total = 100). Therefore nothing remains for the nephew, so he does not get anything.

If there are 2 sisters along with the husband, then also the nephew will not get anything. This is because the husband gets 50 and the 2 sisters 66.66, the total is 116.66. This is more than 100, therefore the nephew does not get anything.

23. How will the inheritance be distributed if there is a wife, 2 daughters and a maternal grandson?

Shahid passes away leaving 2 daughters and a grandson and 450000 in property.

Principle:

There are children so the wife gets 12.5. The 2 daughters will get 66.66. The remaining 20.84 will go to the grandson as Asabah.

Due to the fact that the deceased does not have a son and no father, therefore the grandson is taken as Asabah in the place of the son

Distribution of inheritance:

Deceased = 100

Wife – 12.5

2 daughters – 66.66

Total – 79.16

Remainder – 20.84

Grandson (as Asabah) – 20.84

Distribution of property:

450000 ÷ 100 = 4500

450000 divided by 100 gives a single share of 4500

Wife – 12.5 x 4500 = 56250

2 daughters – 66.66 x 4500 = 299970

Grandson – 20.84 x 4500 = 93780

Total = 450000

Detail:

The wife of Shahid and the children are left behind so she gets 12.5

The 2 daughters get 66.66. Total = 79.16

20.84 remains. This has to be given to the grandson as Asabah

The calculation is 12.5 + 66.66 = 79.16

Now, 20.84 remains from 100

This 20.84 is given to the grandson as Asabah

Wife – 12.5 x 4500 = 56250

2 daughters – 66.66 x 4500 = 299970

Grandson – 20.84 x 4500 = 93780

Total = 450000

The ruling of Munaasakha

In the old calculations a person has to count for example, 6 people that passed away. After calculating the inheritance of all, the property is distributed. Therefore,

the Munaasakha calculation becomes difficult and long. In our method below, after distributing inheritance, the property is distributed side by side.

Then, whatever the first generation gets will be distributed amongst those of the 2nd generation

Then whatever the 2nd generation gets will be distributed amongst the 3rd generation

Then whatever the 3rd generation gets will be distributed amongst the 4th generation

Then whatever is distributed amongst the 4th generation will be distributed amongst the 5th generation

The result of this is that the number of the 1st generation will not exceed 100

The calculation will always be made from 100

The calculation will be very easy and there would not be a need for a long calculation. Study the method of Munaasakha carefully below,

24. Munaasakha

1st generation. Shahid passes away leaving behind a wife (Raashida), son (Saajid), son (Ahmad) and daughter (Khadija) and 5000000 in property

2nd generation. The inheritance was not yet distributed and the son Saajid passed away. He left his mother (Raashida), brother (Ahmad), sister (Khadija), a daughter (Maryam) and son (Abdur Raheem)

3rd generation. The inheritance was not yet distributed and Abdur Raheem passed away. He left a grandmother (Raashida), uncle (Ahmad), Aunt (Khadija), sister (Maryam), son (Abdul Ghafoor), daughter (Sanjeeda) and wife (Sa'eeda).

The question is that how much wealth will Abdul Ghafoor and Sanjeeda get?

1st generation

Shahid passed away

Distribution of inheritance: 100 Wealth – 5000000

Wife (Raashida) – 12.5

Remainder – 87.5

Son (Saajid) – 35

Son (Ahmad) – 35

Daughter (Khadija) – 17.5

How was the inheritance distributed?

Here there are children so the wife Raashida gets 12.5. 87.5 remains that has to be distributed amongst Saajid, Ahmad and Khadija as Asabah and it will be distributed for the male twice that of the female. Now, for ease in calculation, take 2 sons to be 4 daughters. There was a daughter from before, as though there are 5. Now, 87.5 divided by 5 is 17.5. This is for 1 daughter and the son will get double (35)

Distribution of property:

5000000 divided by 100 gives a single share of 50000

The wife Raashida gets 12.5 x 50000 = 625000

The son Saajid gets 35 x 50000 = 1750000

The son Ahmad gets 35 x 50000 = 1750000

The daughter Khadija gets 17.5 x 50000 = 875000

Total – 5000000

2nd generation

The inheritance was not distributed and the son Saajid passed away

He left his mother Raashida, brother Ahmad, sister Khadija, daughter Maryam and son Abdur Raheem

From his father, Saajid got 1750000

Principle:

Here Abdur Raheem gets as Asabah. Therefore, the brother Ahmad and sister Khadija do not get anything. Only the mother Raashida gets 16.66 (1/6). The rest of the wealth will be distributed amongst Abdur Raheem and daughter Maryam as Asabah.

Saajid passes away

Distribution of inheritance:

Deceased = 100   Wealth – 1750000

Mother Raashida – 16.66

Remainder – 83.34

Son Abdur Raheem – 55.56

Daughter Maryam – 27.78

Total – 100

How is the inheritance distributed?

Here the mother Raashida will get 1/6 (16.66). 83.34 remains that has to be given to Abdur Raheem and Maryam as Asabah and they will distribute it such that the male gets twice the share of the female. For ease of calculation, take 1 son to be 2 daughters and there is a daughter from before. As though there are 3 daughters.

83.34 divided by 3 gives 27.78 for 1 daughter and 55.56 for the son

Distribution of property:

1750000 divided by 100 is 17500

The mother Raashida – 16.66 x 17500 = 291550

Son Abdur Raheem 55.56 x 17500 = 972300

Daughter Maryam – 27.78 x 17500 = 486150

Total – 1750000

3rd generation

The inheritance was not distributed and Abdur Raheem passed away

He left behind grandmother Raashida, uncle Ahmad, aunt Khadija, sister Maryam, son Abdul Ghafoor, daughter Sanjeeda and wife Sa’eedah. 972300 has to be distributed amongst them.

The question is that how much wealth of Shahid does Abdul Ghafoor and Sanjeeda get?

Principle:

Here the son Abdul Ghafoor is present so the uncle Ahmad, aunt Khadija, sister Maryam do not get anything.

The grandmother Raashida gets 1/6 because the mother is not there

The wife Sa'eedah gets 1/8 because the children are present

The remainder after giving them goes to Abdul Ghafoor and the daughter Sanjeeda.

Abdur Raheem passes away:

Distribution of inheritance:

Deceased = 100   Wealth 972300

Grandmother Raashida – 16.66

Wife Sa'eedah – 12.5

Remainder – 70.84

Son Abdul Ghafoor – 47.23

Daughter Sanjeeda – 23.61

How is the inheritance distributed?

Here there is no mother so the grandmother gets 16.66

The wife Sa'eedah gets 12.5

The total is 29.16 and 70.84 remains. This 70.84 must be distributed amongst Abdul Ghafoor and daughter

Sanjeeda according to principle that the male gets twice the female share. For ease in calculation, take the son to be 2 daughters and there was a daughter from before. as though now there are 3 daughters.

Now, 70.84 should be divided by 3 and 23.61 will go to the daughter and twice this amount (47.23) will go to the son.

Distribution of property:

972300 divided by 100 gives a share of 9723.

Grandmother Raashida – 16.66 x 9723 = 161985

Wife Sa'eedah – 12.5 x 9723 = 121537

Son Abdul Ghafoor – 47.23 x 9723 = 459218

Daughter Sanjeeda 23.61 x 9723 = 229560

Total – 972300

Answer : Son Abdul Ghafoor gets 459218 from 5000000

Daughter Sanjeeda gets 229560 from 5000000

Total – 688778

First, the following people were given:

Shahid passed away and left 5000000

The wife Raashida got 1078535 from 5000000

Son Ahmad got 1750000 from 5000000

Daughter Khadija got 875000 from 5000000

Maryam got 486150 from 5000000

Sa'eedah got 121537 from 5000000

Total - 4311222

Abdul Ghafoor and Sanjeeda got 688778

The total between Raashida, Ahmad, Khadija, Maryam, Sa'eedah is 4311222

The total of all is 5000000

It should be remembered that Raashida got 625000 from her husband first

She got 291550 from her son Saajid

She got 161985 from her grandson

The total = 1078535

Whenever the share of Raashida has to be distributed, then the total mentioned above should be distributed. (1078535)

The crux of Siraaji

Once again, the crux of Siraaji; the condition of the heirs, the Asabaat, Dhawil Arhaam and Hajab will be mentioned here.

The conditions of the heirs

As Dhawil Furoodh, there are 12 heirs. 4 are male and 8 are female.

Males are;

1. Husband
2. Father
3. Grandfather
4. Uterine brother

Females are;

1. Daughter
2. Wife
3. Mother
4. Granddaughter
5. Real sister
6. Consanguine sister

7. Uterine sister
8. Grandmother

The shares of the Dhawil Furoodh of the 4 males:

The husband has 2 conditions:

1. If there is no son, daughter or granddaughter he gets 50
2. If there is a son, daughter, grandson, granddaughter, he gets 25

The conditions of the father are 3:

1. When there is a son, grandson or great grandson he gets 16.66 (1/6)
2. When there is a daughter, granddaughter or great granddaughter he gets 1/6 and as Asabah 16.66. As Asabah he gets 33.33
3. When there is no son, or grandson, no daughter or granddaughter he gets everything as Asabah (100)

Conditions of the grandfather are 4:

1. When there is a son, grandson or great grandson he gets 1/6 (16.66)

2. When there is a daughter, granddaughter or great granddaughter he gets 1/6 and 16.66 as Asabah. As Asabah he gets 33.33

3. When there is no son, no grandson, no daughter or granddaughter he gets 16.66 as Asabah only

4. When the father is present the grandfather falls off

Conditions of the uterine brother are 3:

1. When there is 1 brother or sister he gets 1/6

2. When the brother or sister is there or 2 brothers or 2 sisters, then he gets 33.33

3. If the son or grandson or father or grandfather is present he falls off.

Real daughter's conditions are 3:

1. When there is 1 daughter she gets 50

2. When there are 2 or more they get 66.66

3. When they are with the son they get half the share of the brother. As Asabah they get 33.33

Conditions of the wife are 2:

1. When there is no son, daughter, grandson or granddaughter she gets 25

2. When the son, daughter, grandson or granddaughter is present she gets 12.5

Conditions of the mother are 8:

1. If there is no son or daughter she gets 1/6 (16.66)
2. If there is a grandson or granddaughter or great granddaughter she gets 1/6 (16.66)
3. If there are 2 real sisters or 2 real brothers she gets 1/6 (16.66)
4. If there are 2 consanguine or uterine brothers or sisters she gets 1/6 (16.66)
5. If there is no son or grandson or 2 brothers or sisters she gets 1/3 of the total wealth
6. If there is a wife, and father and after they take, she gets 1/3 of the entire wealth
7. If there is a husband and after he takes and a father, then she gets 33.33 of the entire wealth
8. If the husband or wife and grandfather is present, she gets 33.33 of the entire wealth

The conditions of the granddaughter are 6:

1. If she is alone and there is no daughter she gets 50

2. If there are more than 2 granddaughters they get 66.66 when there is no daughter

3. If there is one daughter and one granddaughter she gets 1/6 (16.66)

4. If there are more than 2 daughters she does not get anything

5. There are 2 daughters and a grandson with the granddaughter, she becomes Asabah

6. When the son is present she does not get anything

The conditions of the real sisters are 7:

1. If there is 1 sister she gets 50

2. If there are 2 sisters they get 66.66

3. When there is a brother with the sister she will get half the share of the brother

4. When there are 2 daughters she gets 1/3 of the left over as Asabah

5. When there are more than 2 granddaughters she gets 1/3 of the left over

6. When there is a son or grandson she does not get anything

7. When the father or grandfather is present she does not get anything

The conditions of the consanguine sisters are 10:

1. If there is only 1 sister she gets 50
2. If there are 2 or more and there are no real sisters they get 66.66
3. If there is a real sister she gets 1/6 (16.66)
4. If there are 2 real sisters she does not get anything
5. Besides the real sisters, there is a consanguine brother, she will get the remainder and half the share of the male
6. If there are 2 or more daughters she will get the remainder as Asabah
7. If there are more than 2 granddaughters she will get the remainder as Asabah
8. If the son or grandson is present she does not get anything
9. When the father or grandfather is present she does not get anything

10. If the real brother is present she does not get anything

The conditions of the uterine sisters are 3:

1. If there is 1 sister she gets 1/6 (16.66)
2. If there is a consanguine sister or real sister she does not get anything
3. If there is more than 1 brother or 1 sister she shares 1/3

The conditions of the grandmother are 3:

1. If there is 1 grandmother and no other mothers she gets 16.66 (1/6)
2. If there is a mother she does not get anything
3. When there is a grandfather she gets 16.66

Asabaat

The person that automatically becomes Asabah like the son is called Asabah bi Nafsihi. Those who are Dhawil Furoodh but become Asabah on account of the son or brother are called Asabah bi Ghayrihi. Those persons who become Asabah with others like the real sister becomes Asabah with the daughter, they are called Asabah ma'a Ghayrihi. The person who becomes

Asabah on account of getting freedom is called Asabah min Jihatis Sabab.

Who gets first? They are mentioned in order below. There are 18 Asabah bi Nafsihi mentioned here,

1. Son
2. Grandson
3. Great grandson
4. Father
5. Grandfather
6. Real brother
7. Consanguine brother
8. Real nephew
9. Consanguine nephew
10. Uncle
11. Consanguine uncle
12. Real uncle’s son
13. Consanguine uncle’s son
14. Father’s real uncle

15. Father’s consanguine uncle
16. Father’s real uncle’s son
17. Father’s consanguine uncle’s son
18. Grandfather’s uncle

Asabah bi Ghayrihi are 4:

1. Daughter when she is with the son
2. Granddaughter when she is with the grandson
3. Real sister when she is with the brother
4. Consanguine sister when she is with the brother

Asabah ma’a Ghayrihi are 4:

1. After the daughter takes, the real sister gets
2. After the daughter takes, the consanguine sister gets
3. After the granddaughter takes, the real sister gets
4. After the granddaughter takes, the consanguine sister gets

Asabah min Jihatis Sabab are 2:

1. The male master who frees his slave

2. The female master who frees her slave

Dhawil Arhaam

They are not Dhawil Furoodh or Asabaat. If there are no Dhawil Furoodh or Asabaat, they will get.

They will get in this sequence that if the first one is not there, then the second one will get.

They are mentioned in numbered sequence:

1. Part of the deceased/ part of part of the deceased. They are the daughter's children/ the grandchildren of one's son, i.e. his wife's grandchildren

2. The upward lineage of the deceased. This is the mother's father and mother

3. The children of the upward lineage of the deceased. They are nephew, niece (the children of the daughter of deceased's father). Niece (the child of the son of deceased's father). Uterine nephew and niece (the children of the son of the deceased's father).

4. The children of the upward lineage of the upward lineage of the deceased. They are aunt (daughter of the deceased's grandfather), uterine uncle (the uterine brother of the father of the deceased), the

uncles (the sons of the maternal grandfather of the deceased), aunt (the daughters of the maternal grandfather of the deceased).

Hajab e Nuqsaan

Hajab e Nuqsaan means that if a particular heir was not present, one's share would have been more, but he is present so the share decreases. Like when there are no children the husband gets 50 but when there are children he gets 25. This is Hajab e Nuqsaan. Here, 5 people are mentioned whose shares will decrease on account of other heirs.

1. If there are no children with the husband he will get 50, if there are children, he will get 25
2. If there are no children with the wife, she will get ¼ and if there are children she gets 1/8
3. If there are no children with the mother she gets 1/3, if there are children she gets 1/6. If there are no grandchildren with the mother she gets 1/3 and if there are grandchildren she gets 1/6. If there are no grand children with the mother she gets 1/3 and if there are grand children she gets 1/6.
4. If there is no real daughter with the granddaughter she gets ½. If there is a real

daughter she gets 1/6. If there are 2 daughters with the granddaughter she will not get anything. If there is a grandson, she will become Asabah.

5. If there is no real sister with the consanguine sister then she will get ½, if the real sister is present she will get 1/6. If there are 2 real sisters with the consanguine sister then she will not get anything, but if there is a brother she will become Asabah.

Hajab e Hirmaan

There are 2 types of Hajab e Hirmaan

One is that they deprive others but are not deprived themselves, but they get their own share or a share as Asabah.

They are 6 people mentioned ahead.

The 2nd type are those who are always deprived from inheritance.

They are 5.

1st type

1. Son – always gets as Asabah
2. Father – he has a share and is sometimes Asabah

3. Husband – always has a share, not Asabah
4. Daughter – she has a share, if there is a son with her she becomes Asabah
5. Mother – she always has a share
6. Wife – always has a share

2nd type:

1. Kaafir – he/she cannot inherit from a Muslim
2. Murderer – cannot inherit from the murdered
3. Slave or slave girl – is not the heir of anyone
4. Murtad – is not the heir of anyone
5. Difference of country – a person living in Daar ul Islaam cannot inherit from a person living in Daarul Harb

Conclusion

May Allaah accept this book and make it a means of provision in the Aakhirat. May He grant this lowly one Jannah on account of it and may He forgive the shortcomings. Ameen

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ABOUT THE BOOK

The specialties of Thamratul Meeraath

1. Through this book, every common person will be able to distribute the inheritance of his family
2. In this book, 24 questions have been quoted and the complete calculation has been made. Choose whichever one applies to you and you will be able to distribute the inheritance of your family yourself
3. 7 questions of Radd have been quoted so that students can practice the ruling of Radd
4. 4 questions regarding ‘Aul have been mentioned so that students learn how to calculate it
5. There is 1 question of Munaasakha so that students learn it
6. The question that is needed most is placed first, for example, there is a greater need to distribute the inheritance of a son, therefore the conditions of a son are brought first and the question regarding a son has been mentioned first
7. That which is not needed so much, like hermaphrodite, it has not been discussed so much

8. The conditions of 14 heirs are discussed in detail for which there is great need

9. All the calculations have been set using a calculator so that the calculation is easy

10. Using this method, there is no need for Tasheeh, Tadaakhul, Tabaayun etc.

11. Using this way, inheritance can be calculated in 2 minutes

Using this way, Munaasakha can be solved in 10 minutes and it is very easy